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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**79 CIVIL APPLICATION NO. 12450 OF 2024  
IN FAST/7628/2022**

**AND**

**CIVIL APPLICATION NO. 8740 OF 2022  
IN FAST/7628/2022**

**LATE VASANT SAKHARAM SONAWANE THR. LRS  
SUNANDABAI V. SONAWANE AND ORS**

**....Applicants**

**VERSUS**

**CHANDRAKANT BHASKAR PATIL AND ORS**

**.....Respondents**

Mr. M. M. Bhokarika, Advocate for the applicants  
Mr. R. R. Imale, Advocate for the respondent No.2

**CORAM : KISHORE C. SANT, J.**

**DATE : 28<sup>th</sup> NOVEMBER, 2024**

**P. C.**

**LRs**

1. This application is for bringing on record the legal heirs of the deceased Vasant Sonawane.

2. The legal representatives are shown in para No.3 of the application.

3. The deceased died on 14-01-2024. The death certificate is on record.

4. There is delay of 170 days caused in filing this application and 110 days delay in setting aside the abatement order.

5. For the reasons stated in the application, the delay stands condoned. The application stands allowed.

6. The learned advocate for the applicant undertakes to file vakalatnama for applicant Nos. 1 to 4 within four weeks from today.

#### **DELAY**

1. At the outset the learned advocate for the applicant seeks leave to delete the respondent No.2. Leave granted at his own risk.

2. There is delay of 783 days caused in filing the first appeal.

3. The learned advocate for the respondent objects to condone the delay.

4. However, considering that the appeal is by the original claimants, this court is inclined to allow the application. The delay stands condoned. The application stands allowed.

5. The applicant shall file undertaking that in case the appeal is allowed, he shall not claim any interest for delayed period.

### **APPEAL**

1. Issue notice to the respondents, returnable on 30-01-2025. Mr. Ingle, learned advocate waives service of notice for the respondent No.2.

**[KISHORE C. SANT, J.]**