



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

908 CIVIL APPLICATION NO. 4353 OF 2024
IN SECOND APPEAL NO. 300 OF 1998

VISHWANATH MARUTI MANE THROUGH L.RS. DATTU
VISHWNATH MANE AND OTHERS
VERSUS
HIRKANBAI VISHWAMBHAR SALUNKE AND OTHERS

...
Mr. S.N. Lale Yelwatkar – Advocate for Applicants
Mr. H.B. Nandagavale h/f. Mr. V.G. Sakolkar – Advocate for
Respondents

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 26th April, 2024

PER COURT :

1. Heard rival submissions.
2. The applicants who are the legal representatives of deceased respondent Nos.1 to 3 and seeking permission to bring themselves on record after condonation of delay mentioned in the application. Learned Counsel for the respondents submitted No Objection.
3. However, it seems that the respondents are the appellants who in fact ought to have brought the applicants

on record. The maximum delay appears in this matter is around 14 years. As such, considering the conduct of respondents who are the appellants, application stands allowed in terms of prayer clauses 'B', 'C' and 'D' subject to cost of Rs.5,000/- (rupees Five Thousands only) to be paid by the respondents in this application to the Library, Advocates Association of High Court, Bombay, Bench at Aurangabad, failing which the appeal will stand dismissed.

4. Application is disposed of accordingly.
5. List the Second Appeal No.300 of 1998 on 5th July, 2024.

[SANDIPKUMAR C. MORE]
JUDGE