



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

150 WRIT PETITION NO. 13183 OF 2017
WITH
CIVIL APPLICATION NO. 3018 OF 2024
IN WP/13183/2017
WITH
CIVIL APPLICATION NO. 3663 OF 2024
IN WP/13183/2017

HARIDAS UTTAM JADHWAR AND ANOTHER
VERSUS
JAIHIND MURLIDHAR KADAM AND OTHERS

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Advocate for the Petitioners/Applicants : Mr. M. S. Karad h/f
Mr. Thombre S. S.

Advocate for respective Respondents : Mr. Gunale Prakash G.

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CORAM : S. G. MEHARE, J.
DATE : 16.04.2024

PER COURT :-

1. The petitioners moved an application to bring the legal heirs of deceased/petitioner No.2. The reasons for delay has not been satisfactorily explained. The astonishing reasons of getting knowledge of pendency has been pleaded.

2. Learned counsel for respondents strongly opposed the application. He would submit that the reasons were not genuine and judicially accepted. For causing delay, a penalty should be imposed on the appellants.

3. Considering the issues involved in the case and to make justice, a lenient view may be taken. However, for causing the delay in disposal of the appeal, the respondents would be compensated.
4. Civil Application No.3663 of 2024 stands allowed subject to cost of Rs.2,000/- to be paid to respondents' counsel within two (2) weeks from today.
5. Legal heirs be brought on record. Necessary amendment be carried out within two (2) weeks.
6. Stand over to 19.06.2024, at 2.30 p.m.
7. Interim relief granted earlier to continue till the next date.

(S. G. MEHARE, J.)

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vmk/-