



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

**916 CIVIL APPLICATION NO. 4877 OF 2023
IN SA/775/2022**

WITH

**CIVIL APPLICATION NO. 3982 OF 2023
IN SA/775/2022**

WITH

SECOND APPEAL NO. 775 OF 2022

VISHWANATH BHAGWAT PATIL AND ANR

....Applicant

VERSUS

SAHNTIBAI BALIRAM INGALE AND ANR

.....Respondent

...

Advocate for Applicant : Mr. Rathod Bhimrao R. h/f Mr. S.B.
Bhaskar

Advocate for Respondent No. 1 : Mr. Ganesh A. Ambildhage h/f
Mr. Vishal Dhundale

...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 23rd JANUARY, 2024.

PER COURT :

1. Heard rival submissions. Though the learned counsel h/f Mr. Dhundale, requested for an adjournment on account of non availability of Mr. Dhundale, but this is only an application for bringing L.Rs of deceased respondent No. 1 on record by

condoning delay of 170 days. As such, passing order in absence of learned counsel for respondent No. 1 will not cause any illegality, since the appeal cannot be proceeded unless the legal heirs of respondent No. 2 are brought on record. In view of the same, and for the reasons stated in the application, the application stands allowed in terms of prayer Clause (B) and stands disposed of. The amendment be carried out within stipulated period.

2. Stand over for 6.2.2024.

(SANDIPKUMAR C. MORE)
JUDGE

mahajansb/