



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

**905 CIVIL APPLICATION NO. 5325 OF 2023
IN SA/930/2018**

**WITH
CIVIL APPLICATION NO. 11757 OF 2022
IN CA/14805/2018**

**WITH
CIVIL APPLICATION NO. 11756 OF 2022
IN CA/11757/2022**

**WITH
CIVIL APPLICATION NO. 14805 OF 2018
IN SA/930/2018**

**WITH
SECOND APPEAL NO. 930 OF 2018**

**GAUTAM TULSHIRAM WAGHMARE
VERSUS
KISAN WAMAN WAGHMARE AND OTHERS**

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Mr. Mazhar A. Jahagirdar, Advocate for the appellant.
Mr. S.N. Boiwar, Advocate holding for Mr. Avinash Raut, Advocate
for respondent Nos. 1, 3, 5A, 8 and 9.

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 28 February 2024**

P. C. :

IN CIVIL APPLICATION NO. 5325 OF 2023 :

1. Heard rival submissions.
2. The applicant/appellant is seeking permission to bring on record legal representative of deceased respondent No. 2 Vasant Waman Waghmare, who died on 22.02.2020, by condoning the

delay of 1049 days. The learned Counsel for the applicant relied upon one certificate dated 30.11.2022 issued by Sarpanch of concerned Grampanchayat, Waghunde (Bd.) wherein it is mentioned that no entry of death of respondent No. 2 was found in the record of Grampanchayat.

3. Learned Counsel for other respondents did not dispute about the death of respondent No.2. In view of the same, the application stands allowed in terms of prayer clauses (B) and (C) subject to cost of Rs. 1500/- to be paid to Library, Advocates Association of High Court Bombay, at Aurangabad. The amendment be carried out after depositing costs and within stipulated period.

4. Civil Application No. 5325 of 2023 is accordingly disposed of.

5. List the other matters on 13.03.2024.

(SANDIPKUMAR C. MORE, J.)