

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

**910 CIVIL APPLICATION NO. 8775 OF 2020
IN SA/742/2016
WITH
SECOND APPEAL NO. 742 OF 2016**

GURUSIDHAPPA @ SURYAKANT BASWANAPPA KONALE
VERSUS
CHANDRKANT BASWANAPPA KONALE AND OTHERS

...
Ms. Rekha Choudhari h/f Mr. D.D. Sarwade, Advocate for
Applicant

Mr. A. R. Tapse h/f Mr. G.J. Kore, Advocate for Respondent No.7
Mr. Sunil Govindrao Magre, Advocate for Respondent No.6

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 30/01/2024.**

P. C. :

1. Heard rival submissions.
2. The appellant i.e. original appellant is seeking permission to bring legal representatives of deceased respondent No.8 Laxmibai Bhagwanrao Gulve on record by condoning the delay of 2956 days. Admittedly, Laxmibai has died on 12/11/2011.
3. The learned counsel for respondent Nos.6 & 7 strongly opposed the application on the ground that there is inordinate delay without any sufficient cause. However, considering the right to sue, the application stands allowed in terms of prayer clause B, subject to cost of Rs.4,000/- to be paid by the appellant to Advocate Bar Library, High Court, Aurangabad, within two weeks.

4. The amendment be carried out within a period of two weeks. Accordingly, the application stand disposed of.

5. List Second Appeal No.742 of 2016 on 13/02/2024.

(SANDIPKUMAR C. MORE, J.)

VS Maind/-