



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

**920 CIVIL APPLICATION NO. 9052 OF 2023
IN WP/2227/2013
WITH
WRIT PETITION NO. 2227 OF 2013**

**Bhagwan Madhavrao Wattemod And Another
VERSUS
Shamal Bhishanlal Yadav And Others**

...
Advocate for the Petitioner : Mr. H. B. Nandagavale h/f Mr.
V. G. Sakolkar
AGP for Respondents: Mr. A V Lavate
...

CORAM : S. G. CHAPALGAONKAR, J.

Dated : July 02, 2024

PER COURT :-

1. By way of this application, prayer is made to permit the applicants to bring on record legal heirs of respondent no.1, who died on 9.9.2018.
2. Notices were issued to the proposed L.Rs. That has been duly served on 7.6.2024 and accepted by the Bhishanlal for himself and on behalf of respondent nos.1/1 and 1/3 who are residing in joint family. In spite of service of notice, none appeared before this Court.
3. Having considered the submissions advanced on behalf of the applicants, it appears that applicants were not having any knowledge about death of respondent

Shamlal Bhishanlal Yadav. Only when service report in pursuance of notice issued by this Court is received, applicants got knowledge. Thereafter, he collected the information regarding legal heirs and filed present application.

4. A copy of order dated 3.9.2013 in MA No.110 of 2007 decided by the Principal District Judge, Nanded is placed on record to show that respondent nos.1/1 to 1/3 are the legal heirs of deceased respondent no.1.

5. In that view of the matter, there is no impediment allowing this application by condoning the delay. Hence, civil application is allowed in terms of prayer clauses 'B' and 'C'. The applicant to amend the writ petition. Civil application stands disposed off accordingly.

6. In writ petition no.2227 of 2013, issue notice to the added legal representatives of deceased respondent no.1, returnable on 30.7.2024.

(S. G. CHAPALGAONKAR, J.)

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