



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

**44 CIVIL APPLICATION NO. 9190 OF 2023
IN WP/981/2021**

**SARJERAO BHAGUJI GAVHANE AND OTHERS
VERSUS
SUMAN EKNATH AAGLE ALIAS AASRABAI BHAGUJI
GAVHANE DIED THR LRS SUNIL AND OTHERS**

...
Advocate for Applicants : Adv.P.V.Langhe
Advocate for Respondent no.1 : Adv.Z.M.Pathan

...
CORAM : ARUN R. PEDNEKER, J.

DATE : 11.03.2024

P.C. :

1] The present Civil Application is filed to bring on record legal heirs of deceased respondent, namely, Suman Eknath Aagle by condoning delay of 421 days in filing the present Civil Application.

2] It is informed that in the year 2021, the legal heirs of deceased respondent, Suman Eknath aagle are also brought on record in the original plaint. However, the learned counsel for the petitioner submits that due to pandemic situation, the applicants could not contact advocate for the applicant to take steps to bring on record the legal heirs of the deceased Suman. When the matter was listed, the applicant contacted with the Advocate and thereafter the advocate came to know about the death of

respondent Suman. Thereafter, the present civil application is filed. In the process, there is delay caused in filing the present civil application and the same is not intentional and deliberate. Considering the said fact, the present civil application may be allowed.

3] The learned counsel for the respondent no.1 has resisted the application more particularly for the reasons that there is large delay in filing the present application.

4] For the reasons stated in the civil application, the same is allowed. Delay is condoned. Civil Application is disposed of accordingly. Amendment to be carried out within two weeks.

5] List Writ Petition No.981 of 2021 on 15th April, 2024.

[ARUN R. PEDNEKER]
JUDGE

DDC