



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

**CIVIL APPLICATION NO. 14520 OF 2023
IN WP/8053/2017**

**RAJESH KHANDERAO DESHMUKH AND OTHERS
VERSUS
BALAPRASAD TULSHIRAM MANTRI DIED LRS SATISH
BALAPRASAD MANTRI AND OTHERS**

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Mr. Ganesh R. Jadhav h/f Mr. Avishkar S. Shelke, Advocate for Applicants.

Mr. B. A. Darak, Advocate for Respondent No.1.

Mrs. Deepali S. Biyani, Advocate for Respondent No.2.

Mr. G. G. Kadam, Advocate for Respondent Nos.6 and 7.

Mr. G. K. Naik Thigale, Advocate for Respondent Nos.4, 5 and 8 to 11.

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**WITH
WRIT PETITION NO. 10982 OF 2016**

**WITH
WRIT PETITION NO. 8053 OF 2017**

**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 26th AUGUST, 2024.**

P.C.:-

1. Heard the learned Advocate appearing for the applicants and learned Advocate appearing for the proposed legal heirs of respondent no.1.
2. Civil Application is objected since there is inordinate delay of 827 days in bringing legal heirs of deceased Satish Balaprasad Mantri on record.
3. Mr. Darak, learned Advocate appearing for the respondents submits that delay is not adequately explained. However, no counter affidavit is filed to the contents of the application.

4. Considering the submissions advanced and reasons as stated in the application, it appears that sufficient cause is made out to condone the delay. Consequently, Civil Application is allowed in terms of prayer Clauses (B) and (C) subject to cost of Rs.2000/- (Rs.Two Thousand only) to be paid to the legal heirs of respondent no.1 within a period of 15 days from today.

5. Amendment to be carried out within a period of 15 days from today.

6. Civil Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/August-2024