



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 230 OF 2024
IN SA/303/1995

Ratnabai Lala Shinde And Others

.....Petitioner

VERSUS

Yedba Narayan Waghmare L.rs. Jalindar And Ors.

.....Respondent

....

Mr. M. G. M. Shaikh, Advocate for Applicant

Mr. S. A. Jadhav h/f Ms. Anjali Bajpai, Advocate for
Respondent Nos. 1, 3 and 4

...

CORAM : R.M. JOSHI, J

DATE : JANUARY 05, 2024

PER COURT :

1. This application is for condonation of delay and to bring LR's of deceased Respondent Nos. 1 and 3 on record. It is the contention of Appellant that the death of Respondent Nos. 1 and 3 on 07.09.2018 & 30.03.2017 was not within the knowledge of Appellants. Appellants got the said knowledge after pursis is filed by learned Counsel for these Respondents on 16.10.2023. Thus, according to him, there is no intentional delay in bringing LR's of deceased on record.

2. Learned Counsel for contesting Respondents opposed application.

3. Record indicates that Appellant got knowledge about the death of Respondent Nos. 1 and 3 on 16.10.2023 when the Counsel for these Respondents filed pursis to that effect. This court, therefore, finds no reason not to condone delay caused in bringing LR's of deceased Respondent on record. Hence, application is allowed in terms of prayer clauses 'B' and 'C'. Amendment to be carried out within 2 weeks.

(R. M. JOSHI, J.)

Malani