

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1851 OF 2016
IN
SECOND APPEAL NO. 133 OF 2003**

Marutirao Bayaji Indalkar (since deceased)
through legal heirs and Ors. ... Applicants

IN THE MATTER BETWEEN

Marutirao Bayaji Indalkar (since deceased)
through legal heirs and Ors. ... Appellants

Versus

Shirpatrao Marutirao Indalkar And Anr. ... Respondents

.....

Mr. Ramanik Pawar a/w Samiksha Pawar, for the Applicants/
Appellants.

Mr. K. P. Shah i/b P. B. Shah, for Respondent No.1.

Mr. Pradeep Gole, for Respondent No. 2.

.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 5th JULY, 2024.

P.C.

After laps of fifteen years, the applicants have moved this application for bringing the legal representatives of the deceased appellant No.8(c)-Sunil Dattatraya Kirdat, who has died on 11th October, 2001, which is supported by a photostat copy of the death certificate issued by Satara Municipal Council.

**REKHA
PRAKASH
PATIL**

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REKHA PRAKASH
PATIL
Date: 2024.07.06
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Rekha Patil

2 Heard learned Counsel for the applicants.

3 The reason for the delay as it appears from the application is that the applicants were unaware of the death of the deceased.

4 Learned Counsel for the respondent has no objection to bring the legal representatives of the deceased on record by condoning the delay.

5 As such, the delay is condoned by setting aside the abatement.

6 Necessary amendment shall be carried out within two weeks.

7 After carrying out amendment, amended copy of the Second Appeal be furnished to the learned Counsel for the respondents.

8 Application stands disposed of with no order as to costs.

[PRITHVIRAJ K. CHAVAN, J.]