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

**INTERIM APPLICATION NO.15409 OF 2023
IN
CIVIL REVISION APPLICATION NO.529 OF 2015**

Vithabai Haribhau Varahade & Anr. Applicants

Vs.

Vasudeo Sakharam Vaikole and Anr. Respondents

Adv. Rukmini Khairnar i/b. Adv. Promod Joshi for the Applicants

Adv. Shubham J. i/b. G. R. Agrawal for the Respondents

CORAM : M. M. SATHAYE, J.

DATED : 14th FEBRUARY, 2024

P.C.:

1. Heard learned Counsel for the parties. This Application is for bringing legal heir of deceased Petitioner No. 1 - Vithabai Haribhau Varahade on record. There is delay of 26 days in filing the application. No reply is filed.

2. It is stated in the Application that proposed legal heir is already on the record as Petitioner No. 2 in his personal capacity. Considering that the proposed legal heir is already on record, delay is only technical. Considering the uncontroverted averments in the

application, case is made out with sufficient cause. Hence, the interim Application is granted in terms of prayer clause (a), (b) and (d).

3. Delay is condoned. The Applicants are permitted to bring the Petitioner No. 2 on record as legal heir of the Petitioner No. 1. Interim Application is disposed of. Necessary amendment to be carried out within three weeks from today.

(M. M. SATHAYE, J.)