

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1123 OF 2024.

IN

WRIT PETITION NO. 7038 OF 1999.

Kondiba Hari. Lendghar Since Deceased Thr. ...Applicants/Petitioners.
His LRS. And Ors.

Versus

Sugrabi Babumia Mujawar Since Dec Thr Her ...Respondents.
Heirs And Ors

*Mr. Vaibhav Patankar for the Applicants/Petitioners (Through V. C.).
Mr. Sanjeev Gorwadkar Senior Advocate a/w Mr. Sakharam Kadam i/by Pushkraj
Pardeshi for the Respondent No. 13.
None for the Proposed Respondents.*

Coram : Sharmila U. Deshmukh, J.

Date : November 25, 2024.

P. C. :

1. Interim Application has been preferred for bringing on record the legal heirs of deceased Respondent No. 12 and for condonation of delay of 5454 days caused in filing the Application and for setting aside abatement.
2. Office noting indicates that the notices issued to the proposed Respondents have been duly served. None appears for the proposed Respondents.
3. Learned Counsel appearing for the Applicant submits that the Petition was admitted in the year 2000 and the Respondent No. 12

expired on 10th July, 2008. He submits that it was during the Tenancy Revision before the Agricultural Land Tribunal that the Petitioner acquired knowledge about the death of the Respondent No. 12 and as the factum of death was not communicated delay has been occasioned.

4. For the reasons stated, the delay of 5454 days stands condoned and abatement is set aside.

5. Interim Application is allowed. Amendment to be carried out within period of 4 weeks from today.

[Sharmila U. Deshmukh, J.]