



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CAW NOS.3205, 3209 AND 3400 OF 2023 IN
WRIT PETITION NO.5293 OF 2022

SHAMRAO S/O BAJIRAO GAWALI THR. HIS P.O.A. (SON), BHAURAO S/O
SHAMRAO GAWALI

VS

VITTHAL S/O RAMRAO DESHMUKH AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Bhupesh Patil, Advocate for the Petitioner/s

Ms G.S. Jain, Advocate h/f Shri Sirpurkar, Advocate for the respondent Nos.1
to 3

Ms Mrunal Naik, AGP for the Respondent/State

CORAM : ANIL S. KILOR, J.

DATE : 22.04.2024

CAW NO.3209 OF 2023

1. This is an application for condonation of delay in bringing legal heirs of deceased petitioner on record.
2. There is a delay of about 11 months, which has been explained properly in paragraph 4 of the application, which reads thus:

"4. That, the petitioner's (power of attorney holder) is a illiterate village person and does not know the procedure of the court and he did not understand the importance to inform the information about death of his father deceased original Petitioner to the Counsel and hence could not convey the information in time. But as recently on 11/10/2023 the petitioner's power of attorney holder came to Nagpur and inform about the death of Original Petitioner the counsel of petitioner knew about the sad demise of the original petitioner and hence he called all the required

information and documents from the petitioner (power of attorney holder) and presenting the application for bringing the Legal Heirs of deceased (original petitioner) on record”

3. The application is being opposed by the learned counsel for the respondent Nos.1 to 3 on the ground that the delay is not properly explained. However, since I have already recorded the finding that sufficient cause has been shown by the applicant for condonation of delay, the application is allowed. The delay is condoned.

4. The application is **disposed of**.

CAW NOS.3205 AND 3400 OF 2023

5. For the reasons stated in the applications, the applications are **allowed**.

6. Necessary amendment be carried out within two weeks from today.

7. The applications are **disposed of**.

[ANIL S. KILOR, J.]