



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

917 CIVIL APPLICATION NO. 4258 OF 2021
IN FIRST APPEAL NO. 4248 OF 2017

MANSING SAMBHAJI GOLE
VERSUS
SOMNATH PANDU SHELKE SINCE DECEASED NOW ORIGINAL
OBJECTORS SHARDA AND OTHERS

...
Mr. Parag V. Barde – Advocate for Applicant

....

CORAM : SANJAY A. DESHMUKH, J.
DATE : 10th JANUARY, 2025

PER COURT :

1. This is an application filed for bringing legal representatives of deceased Ambrushi Bhagwan Jade on record by condoning the delay of 2086 days.

2. Heard learned advocate for applicant. He submits that, Vyasiyat/will was executed by one Ibrahim Vald Abdulla Mullaji. Accordingly the application for probate was filed under Section 276 of the Indian Succession Act, 1925 by the applicant – Mansing Gole. For that application a power of attorney of Ambrushi Jade was executed in the name of Somnath Pandu Shelke. He further submits that, now Somnath Pandu Shelke is dead. Meanwhile, the

application was rejected. Therefore he has to prefer the appeal and application for condonation of delay. Learned advocate for applicant further submits that, the name of Somnath Pandu Shelke, as power of attorney be permitted to be deleted as he is dead. He further prayed for adding the name of respondent Nos.1.A to 1.C as the legal representatives of Ambrushi Jade in the proceedings of this application and appeal memo.

3. Perused the application. The delay is deliberately not caused. Considering the reasons stated in the application it deserved to be allowed in the interest of justice. It is allowed in terms of prayer clause 'C'.

4. Amendment be carried out within one week.

5. After carrying out the amendment, issue notice to the respondents, returnable on 31st January, 2025.

6. Learned advocate for applicant is further directed to supply the copies of appeal memo, etc. for the respondents.

[SANJAY A. DESHMUKH]
JUDGE