



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

48 CIVIL APPLICATION NO. 5305 OF 2025
IN SA/38/2008

MUNICIPAL COUNCIL LATUR THROUGH ITS DY. COMMISSIONER
KANCHAN BABRUWAN TAWADE

VERSUS

RUKMINIBAI TUKARAM DHOTRE AND OTHERS

...

Advocate for Applicant : Mr. Patil Hanmant V.

Advocate for Respondent No. 1 : Mr. R. V. Gunale h/f Mr. V. D. Gunale

...

CORAM : SHAILESH P. BRAHME, J.

DATE : 06.10.2025

PER COURT :

By way of present application, the applicants are seeking condonation of delay of 284 days in bringing legal heirs of respondent no. 1 Rukminibai on record.

2. For the reasons stated in the application, it is desirable to allow the application. The cause of action survives against the respondent no. 1A Dilip, who is her son. The respondent no. 1B Agrawal Builders and Developers is the purchaser vide sale-deed dated 04.02.2013. He being a purchaser is bound by the decision of the present second appeal. In order to avoid the complication, he is required to be impleaded though not as a legal heir.

3. Civil Application is allowed partly condoning the delay of 284 days in bringing respondent no. 1A Dilip on record. Respondent no. 1B Agrawal Builders and Developers shall be impleaded as a party to the second appeal.

(SHAILESH P. BRAHME, J.)

mkd/-