

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

CIVIL APPLICATION NO.3113 OF 2025

IN

FIRST APPEAL NO.3103 OF 2018

Vandana Pradeep Wagh and Ors

Versus

Santosh Bhanudas Mhaske and Ors

.....

Shri. Amol P. Khedkar, Advocate for the Applicants

Shri. M. R. Deshmukh, Advocate for Respondent No.3

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CORAM : NEERAJ P. DHOTE, J.

Dated : MARCH 27, 2025

PER COURT :-

1. This is the Application by the Respondents in the Appeal to add son of Respondent No.1 in the array of the Respondents.
2. It is submitted by the learned Advocate for the Applicants / Orig. Claimants that Applicant No.1 - Vandana w/o. Pradeep Wagh, who was the Original Claimant No.1 in the Claim Petition, gave birth to the proposed Respondent, Sandeep Pradeep Wagh, on 18.02.2013. It is further submitted that the death of her Husband was dated 17.11.2012. He submits that, since the son, to whom the Orig. Claimant No.1 gave birth, could not be brought on record in the claim petition, and since the said son was born out of the wedlock between Deceased and Orig. Claimant No.1, the Application be allowed.

3. The Application is opposed by the learned Advocate for the Insurance Company. He submits that there is no reason mentioned in the Application for such delay for impleading the son as party respondent in the Appeal. He submits that the Application be rejected.

4. There is no dispute that the Husband of the Orig. Claimant No.1 - Vandana Pradeep Wagh died on 17.11.2012 and she gave birth to the son on 18.02.2013. No doubt, there is delay in impleading the son as party Respondent in the Appeal, on going through the Application and the copy of the Birth Certificate, I see no legal impediment in allowing the Application and hence, the same is allowed in terms of prayer clause 'B'. Necessary amendment be carried out within a period of one (1) week.

(NEERAJ P. DHOTE, J.)