



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

115 CIVIL APPLICATION NO. 7873 OF 2023
IN SA/1299/2005

WITH
CIVIL APPLICATION NO. 9321 OF 2016
IN SA/1299/2005

RADHABAI GOVINDRAO PADALKAR AND ORS.
VERSUS
V P MELEY L.RS. KAMAL VASANT MULEY AND ORS.

...
Advocate for Applicants : Mr. H.C. Puse h/f Mr. Imale Ramesh Ramdas
Advocate for Respondent Nos. 1-A to 1-C : Ms. Sawari M. Patil h/f Mrs.
Deshmukh Charuta Sunil
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CORAM : S. G. CHAPALGAONKAR, J.
Dated : 28.03.2025

PER COURT :-

ORDER ON ON DELAY CONDONATION APPLICATION :

1. Heard learned Advocates appearing for respective parties.
2. Present application is moved for bringing legal representatives of deceased respondent No. 1 on record in Second Appeal.
3. Learned Advocate appearing for applicants submits that respondent No. 1 died during Covid-2019 pandemic i.e. on 28.11.2020 and due to restrictions on movements applicants could not take steps for filing appeal. Applicants are old aged persons, therefore, it was beyond their control to take immediate steps, as such delay has occasioned.
4. Learned Advocate appearing for respondents/proposed legal representatives of respondent No. 1 opposes application on the ground that there is no proper explanation for delay. However, considering reasons stated above, there is no impediment to allow application. In result, application stands allowed in terms of prayer Clauses (B and C) and is disposed off.
5. Civil Application No. 9321 of 2016 in Second Appeal No. 1299 of 2005 stands allowed and disposed off.
6. Amendment be carried out within a period of two weeks from today.

(S. G. CHAPALGAONKAR)
JUDGE