



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

**61 CIVIL APPLICATION NO. 9716 OF 2024
IN SA/463/2013**

**SHRIRANG PARVATARAO BHOITE AND ORS
VERSUS
SUBHADRA BAI DASHRATH DORGE THR LRS MANIK
AND ORS**

...

Advocate for Applicants : Mr. Rode Dilip B.

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : February 25, 2025

PER COURT :-

1. In this application prayer is made to grant permission to bring on record legal heirs of respondent no. 2 in Second Appeal No. 463/2013. Further prayer is made to condone the delay of 3136 days caused in filing present application.

2. Learned Advocate appearing for the applicants submits that on 23.02.2023, Second Appeal has been admitted. The notice issued to respondent no. 2 returned unserved with endorsement that he is dead. Thereafter, applicants took the steps to receive the death certificate and thereafter, filed present application for bringing LRs. The applicants had no knowledge about death of respondent no. 2 till the date the report of non service of notice received to this Court which came to knowledge of applicants on 12.06.2024 when learned Registrar of this Court passed the order directing applicants to take steps to bring on record LRs of deceased respondent no. 2.

3. The notice of this application was issued to proposed LRs of respondent no. 2. In spite of service, they failed to cause appearance. The averments made in the application are not controverted by filing affidavit-in-reply.

4. In that view of the matter, application is allowed in terms of prayer clause 'B' and 'C'. Amendment to be carried out within a period of two weeks from today.

(S. G. CHAPALGAONKAR)
JUDGE

spc-