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19-CA-10685-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

19 CIVIL APPLICATION NO. 10685 OF 2025
IN FA/1714/2023

Vitthal Namdeo Talele Died Thr Lrs Kamal Vitthal Talele And Ors
VERSUS
Gajanan Namdeo Talele Died Thr Lrs Prabhawati Gajanan Talele And
Ors.

WITH
CIVIL APPLICATION NO. 8892 OF 2023
IN FA/1714/2023

WITH
CIVIL APPLICATION NO. 4995 OF 2023
IN FA/1714/2023

WITH
CIVIL APPLICATION NO. 4996 OF 2023
IN FA/1714/2023

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Mr. Girish S. Rane, Advocate for Applicant.

Mr. S. H. Tripathi and Mr. A. M. Gholap and R. S. Kulkarni for
Respondents.

Mr. Sarveshwar T. Bhimale h/f Mr. Sanket S. Kulkarni, Advocate for
Respondent No.2.

CORAM : KISHORE C. SANT, J.

DATE : 29th SEPTEMBER 2025.

PC :-

1. Heard the learned Advocates for the parties.

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2. Civil Application No.10685/2025 is filed for bringing on record the legal heirs of deceased Raghunath Namdeo Talele Respondent No.2, who died on 12th February 2025. The legal heirs are shown in paragraph No.3 as proposed respondent Nos. 2A to 2D. The application is filed in time. Considering above, application stands allowed.

3. Necessary amendment in cause title of the appeal and other applications be carried out within a period of two weeks from today.

4. With this, civil application stands disposed off.

CA/4995/2023

5. Heard the parties.

6. This application is filed for bringing on record the legal heirs of deceased Gajanan Namdeo Talele, Respondent No.1, who died on 15th November 2019. It is stated that, in fact, during the pendency of the appeal against probate proceeding, the application was filed. However, that application was not entertained and the appeal was not returned

and so the application could not be allowed pending the appeal before the appellate Court. Now, there is delay of 349 days in filing the present application. However, considering the above fact, it is prayed that the delay be condoned.

7. For the reasons stated in the application, delay of 1125 is condoned (which is now shown to be 1195 days). It is also seen that, in fact, the persons shown as legal representatives are already shown as parties in the appeal memo and other applications. Same be shown as in the capacity of legal representatives. No separate amendment is necessary.

8. Considering above, application stands allowed and disposed off.

CA/4996/2023

9. Civil Application No.4996 of 2023 to be considered at the stage of final hearing.

CA/8892/2023

10. This application is filed for service of notice on respondent Nos.1B and 1C. However, now the learned Advocate Mr. Gholap has already filed his appearance for these Respondents. The application therefore become redundant. The application stands disposed off as such.

FIRST APPEAL

11. Issue notice to the legal heirs.

[KISHORE C. SANT, J.]