



(1)

53-CA-11226-24

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

53 CIVIL APPLICATION NO. 11226 OF 2024
IN SAST/10097/2024

RAMCHANDRA WAMAN RAHINJ L.RS. RAGHUVeer L.RS. RANJANA AND
OTHERS
VERSUS
DATTU BAURAO RAHINJ AND ORS

...
Advocate for Applicants : Mr. S. M. Gunjkar h/f. Mr. S. R. Deshpande
...

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 05.05.2025

PER COURT :-

1. This is an application for bringing legal representatives of respondent No.1 on record by condoning the delay of 1172 days. Notices were issued on this Civil Application and all the respondents are served. Today, none appears for the respondents.

2. The learned counsel for the appellants submits that when notices were issued on this application for condonation of delay in filing the Second Appeal, it was revealed, based on office endorsement, that respondent No.1 has expired. It is submitted that, although the appellants and respondent No.1 are from the same family and are distinctly related, the appellants were

required to ascertain the details of the legal representatives of respondent No.1 and after securing the details, the application could be filed. He submits that this consumed lot of time and the delay occurred in filing the application.

3. Considering this submissions, and in view of the reasons mentioned in Paragraph Nos. 4 and 5, the application is allowed by condoning the delay of 1172 days, subject to cost of Rs. 3000/- to be paid to the **Advocate Association's Bar Library, High Court, Aurangabad**, within two weeks from today.

4. The Civil Application is allowed. Delay is condoned.

5. The applicants are permitted to bring on record legal representatives of respondent No.1.

6. Necessary amendment be carried out within two weeks from today.

(PRAFULLA S. KHUBALKAR, J.)