



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

**CIVIL APPLICATION NO. 6265 OF 2025
IN SA/275/2003**

**SANTOSHKUMAR BARUVAHAN BHOSALE AND ORS.
VERSUS
CHANDRAPRAKASH BHAGWANRAO KULKARNI AND ORS.**

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Advocate for Applicant : Mr. S S Manale
Advocate for Respondent No.1 : Mr. Vivek Bhavthankar
Advocate for Respondent Nos. R-7/1 to 7/5 : Mr. Chaudhary N. S.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 20th JUNE 2025

PER COURT :

1. Applicants are praying for composite leave for restoration of the appeal to the extent of Respondent No.4, for condonation of delay and for treating other Respondents as heirs of deceased Respondent No.4.
2. Respondent No.4 – Ravi Kiran died issue less. Respondent Nos. 1, 2, 3 and 5 to 8 are his heirs. Those are already on record. The cause of action survives against them. I find substance in the contents of the Applicants. The legal heirs of deceased Respondent No.4 are necessary parties. It is desirable to restore appeal as against him. The delay caused in taking steps against him also needs to be condoned.
3. Civil Application is allowed in terms of prayer clause 'B to E'.

4. It is clarified that substitution of heirs of deceased Respondent No.4 shall be without prejudice to the contentions of the parties, as to the entitlement of the relief.

**SHAILESH P. BRAHME
JUDGE**

NATEEB..