

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 8549 OF 2024

IN

SECOND APPEAL NO. 509 OF 1997

Tukaram Bhika Gotarne

..... Applicant

IN THE MATTER OF

Nana Dharma Vanse & Ors.

..... Appellants

VERSUS

The State of Maharashtra & Ors.

..... Respondents

Ms. Gunjan Shah i/b. Mr. Kayval P. Shah for the Applicant.

Mr. Nachiket S. Kulkarni i/b. Mr. S.S. Kulkarni for the Respondent Nos. 2 to 6.

CORAM : RAJESH S. PATIL, J.

DATE : 4 NOVEMBER, 2025

P.C. :-

1) This Interim Application is filed to bring on record the legal heirs of the deceased respondent no.6. There is delay in filing the present Interim Application.

2) Heard learned advocates for both the sides.

3) Ms. Shah, learned advocate appearing for the applicant submits that after the respondents' advocate informed them by letter

dated 29 February, 2024 about the names of the legal heirs of deceased respondent no.6, immediately within a period of 15 days to represent and to bring on record the legal heirs of the deceased respondent no.6, the present Interim Application is filed.

4) The Division Bench of this Court in *Keshao s/o. Kawadu Maral and another Versus State of Maharashtra and others*, reported in *2005 (1) MahLJ 1059*, condoned the delay of six years in filing the Application of bringing the legal heirs on record, relying on the Supreme Court judgment of *Sardar Amarjit Singh Karla (dead) by LRS. and others Versus Pramod Gupta (Smt.) (dead) by LRS. and others, reported in 2003 (3) SCC 272*.

5) Taking into consideration the law laid down in the above judgments and for the reasons stated in the application, I am convinced that this Interim Application requires to be allowed.

6) The present **Interim Application is allowed in terms of prayer clauses (a), (b) and (c).**

7) Amendment to be carried out within a period of two weeks from today.

8) Interim Application is accordingly **disposed of.**

[RAJESH S. PATIL, J.]