



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5359 OF 2021
IN WRIT PETITION NO. 1139 OF 2005
WITH
CIVIL APPLICATION NO. 5642 OF 2021
IN WRIT PETITION NO. 1139 OF 2005

MANOHAR S/O DATTU DESHPANDE, DIED, THROUGH LRS.
VISHWNATH MANOHAR DESHPANDE AND OTHERS
VERSUS
INDRAJIT S/O GANPATRAO DESHMUKH, DIED, THROUGH LRS
PRAKASH INDRAJIT DESHMUKH AND OTHERS

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Mr. Ameya N. Sabnis, Advocate for the Applicants
Respondent Nos.1A, 1B, 1C & 2 served.

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 12 JUNE, 2026

PER COURT :-

Civil Application No. 5359 of 2021 :

1. This application is filed by legal heirs of the petitioner, who died during pendency of the petition. However, on failure to take steps, the Writ Petition stood abated and accordingly dismissed vide order dated 11.02.2020. Applicants, who are legal heirs of the deceased petitioner, are now praying to set aside the said order dated 11.02.2020 and to restore the Writ Petition by condoning the delay in filing the application as well as the delay caused in bringing the legal representatives of deceased petitioner on record.

2. For the reasons mentioned in the application, and to afford an

opportunity to the applicants, delay stands condoned. The order dated 11.02.2020 abating the Writ Petition is hereby set aside. The Writ Petition stands restored. The applicants are permitted to bring themselves on record as legal representatives of the deceased petitioner and to prosecute the petition. The application is accordingly disposed off.

Civil Application No. 5642 of 2021

3. This application is for bringing on record the legal representatives of respondent no.1. For the reasons mentioned in the application, and since the petition is now restored, this application also stands allowed in terms of prayer clauses [A] and [B], and disposed off accordingly.

[ABHAY S. WAGHWASE, J.]

spt