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

**CIVIL APPLICATION NO. 15209 OF 2015**  
**IN FA/200/2014**

TRIMBAK VISHWANATH CHIKATE DIED HIS LRS PADMINIBAI AND  
OTHERS  
VERSUS  
THE CHIEF ENGINEER(CONSTRUCTION) CENTRAL RAILWAY, MUMBAI  
AND OTHERS

.....

Advocate for Applicants : Mr. S. S. Halkude.  
Advocate for Respondent No.1 : Mr. D.V. Soman.  
AGP for Respondent No.3 : Mr. N.B. Patil.

**CORAM : A.M. BADAR, J.**

**DATE : 24.11.2015**

**ORDER :**

1] This is an application for condonation of delay in bringing legal heirs after setting aside an abatement.

2] Heard. The learned counsel appearing for non-applicant objects the application by contending that the delay is not explained.

3] Rights to sue survives and therefore the application deserves to be allowed in terms of prayer clause "B" and "C". Hence, the same is allowed and disposed of.

**[A.M. BADAR]**  
**JUDGE.**