



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

9 CIVIL APPLICATION NO. 4668 OF 2024
IN FA/1243/2020

PANDHARI GHANSHAM KAMBLE DIED THR. LRS AATAM
PANDHARI KAMBLE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA, THROUGH DISTRICT
COLLECTOR, LATUR.

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Advocate for Applicants : Mr. Gundre Suraj V. (Through V. C.).
AGP for Respondent/s-State : Mr. N. D. Raje.

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CORAM : SHAILESH P. BRAHME, J.
DATE : 03.10.2025

PER COURT :-

1. Heard learned counsel for the applicants. None appears for the respondent.
2. Present application has been filed in disposed of appeal for bringing legal heirs of respondent/claimant in the appeal. In Lok-Adalat, first appeal was disposed of in view of terms of settlement on 14.12.2019.
3. Learned counsel for the respondent was unaware of the death of sole respondent/claimant Pandhari Kamble. He died on 10.09.2017. The heirship certificate issued by the competent authority shows that present applicants are his legal heirs.

4. I do not find any malafides on the part of the applicants. In absence of any rebuttal to the contents of the application, I am accepting the same. The heirship certificate disclosed that applicants are the legal heirs and the cause of action as against them would have been survived, had they been brought on record in time.

5. It is desirable to condone the delay and set aside the abatement and to bring them on record. Civil application is allowed in terms of prayer clauses "B and C".

6. Civil application is disposed of accordingly.

7. Office shall permit the applicants to carry out the amendment. The amount deposited shall be transmitted to Civil Judge Senior Division, Ahmedpur, District Latur in LAR.No.1407 of 2001 so as to enable the present applicants to receive the amount with accrued interest.

First Appeal

8. The amount lying with this Court shall be transmitted to Civil Judge Senior Division, Ahmedpur, District Latur in LAR.No.1407 of 2001 and the legal heirs of the deceased

respondent Pandhari shall be permitted to receive the amount with accrued interest after due verification.

(SHAILESH P. BRAHME, J.)

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vmk/-