



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

10 CIVIL APPLICATION NO. 4671 OF 2024
IN FA/1241/2020

DATTA ARJUN KAMBLE DIED THR LRS. SHANTABAI DATTA
KAMBLE AND ORS

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 Datta Kamble. He died on 06.06.2019. The application seeking heirship certificate is filed before the concerned authority.

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. Copy of application seeking heirship certificate filed on record and it is disclosed that applicants are the legal heirs.

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.1403 of 2001 so as to enable the present applicants to receive the amount with accrued interest subject to filing of heirship certificate.

First Appeal

8. The amount lying with this Court shall be transmitted to Civil Judge Senior Division, Ahmedpur, District Latur in LAR.No.1403 of 2001 and the legal heirs of the deceased respondent Datta shall be permitted to receive the amount

with accrued interest after due verification subject to filing of heirship certificate.

(SHAILESH P. BRAHME, J.)

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vmk/-