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

CIVIL APPLICATION NO.12551 OF 2021  
IN FA/1644/2012 WITH CA/12552/2021 IN FA/1644/2012

Prakash Kashinath Mande & ors.

Versus

The State OF Maharashtra & anr.

**AND**

CIVIL APPLICATION NO.12352 of 2013  
IN  
FIRST APPEAL (ST.) NO.21554 OF 2013

The State of Maharashtra & anr.

Versus

Prakash Kashinath Mande & anr.

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Mr. S.S. Manale, Advocate for applicant in C.A. No.12551 of 2021 and for  
respondent in C.A. No.12352 of 2013;  
Mr. S.G. Sangle, A.G.P. for respondent in C.A. No.12551 of 2021 and  
applicant in C.A. No.12352 of 2013

**CORAM : RAVINDRA V. GHUGE  
AND  
S. G. MEHARE, J.**

**DATE : 26<sup>th</sup> November 2021**

**ORAL ORDER :**

1. By this application, the L.Rs. of appellant no.2 Subhash Kashinath Mande, pray for liberty to be brought on record in the First Appeal. The Civil Application is in time.

2. Heard the learned Advocates for the respective sides.

(2)

3. For the reasons set out in the application, the same is allowed. The L.Rs. of deceased Subhash shall be brought on record, on or before 9.12.2021. So also, all office objections shall be removed from the First Appeal, on or before the same date, failing which the First Appeal shall stand dismissed without reference to the Court on 10.12.2021.

4. By the consent of the parties, we called for the papers in First Appeal (St.) No.21554 of 2013 filed by the State along with Civil Application No. 12352 of 2013 seeking condonation of 357 days delay caused in filing the appeal.

5. We heard the learned Advocates for the respective sides. Shri Manale, learned Advocate causes an appearance on behalf of the respondents who are the appellants in First Appeal No.1644 of 2012.

6. For the reasons set out in the application, the same is allowed. The delay is condoned.

7. We are inclined to list the First Appeals for final hearing on 16.12.2021 and, therefore, Civil Application No.12552 of 2021 praying for a final hearing, stands allowed.

8. Since the R & P has been received, list First Appeal (St.) No.21554 of 2013 for final hearing along with First Appeal No.1644 of 2012, on 16.12.2021.

(3)

9. Liberty to bring the L.Rs. of deceased Subhash, in the First Appeal.

**(S. G. MEHARE, J.)**

**(RAVINDRA V. GHUGE, J.)**

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