

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

**919 CIVIL APPLICATION NO.2909 OF 2022
IN WP/1083/1999**

**NAMDEO YADA SURYAWANSHI (DIED) LRS RAMCHANDRA AND ORS
VERSUS**

MANKABAI HARIBHAU SURYAWANSHI (DIED) AND ORS

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Advocate for Applicants : Mr. H.V. Tungar, holding for Mr. C.R.
Deshpande

Advocate for Respondent No.2 : Mr. B.A. Darak

AGP for Respondent Nos.5 & 7-State : Mr. Prashant G. Borade

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 1st MARCH 2022

PER COURT:

1. Heard.
2. Original petitioner No.5 Namdeo Yada Suryawanshi is said to have expired on 07.09.2009, which is evident from the photo state copy of the extract of register from the Grampanchayat Renapur Dist. Latur. The learned Counsel submits that a delay of 918 days has occurred in bringing the legal representatives of deceased Namdeo on record for the reasons that the deceased did not inform the family members about the present Writ Petition. It is the Counsel, who had first realized that though the rule was issued in the petition, it remained pending and therefore, even the legal representatives of the deceased were unaware

of the said fact. He, therefore, prays for setting aside the abatement and condoning the delay.

3. After going through the application and the reasons stated therein and in the interest of justice, the abatement is set aside and the delay of 918 days stands condoned.

4. The legal representatives of deceased Namdeo as depicted in the application at sr.no.1-A to 1-I be brought on record. Necessary amendment shall be carried out within 14 days. After carrying out the amendment, the amended copy of the petition be supplied to the respondents.

5. Application stands disposed of.

[PRITHVIRAJ K. CHAVAN, J.]

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