

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

**904 CIVIL APPLICATION NO.11818 OF 2022  
IN FAST/33799/2019**

**KRISHNA SHAMRAO SHELKE (DIED) THROUGH LRS.  
VANDANA KRISHNA SHELKE AND OTHERS  
VERSUS**

**STATE OF MAHARASHTRA THROUGH DEPUTY COLLECTOR,  
AURANGABAD AND ANOTHER**

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Mr. K.N. Shaikh & Sk. Razzak Patel, Advocates for applicants.  
Mr. S.R. Yadav-Lonikar, A.G.P. for respondent No. 1 – State.

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**CORAM : SANDIPKUMAR C. MORE, J.**

**DATED : 25.08.2022.**

**ORDER:-**

1. Heard rival submissions. It appears that sole appellant Krishna Shamrao Shelke has died on 2<sup>nd</sup> November 2020 leaving behind the present applicants as his legal heirs. Further, there appears delay of 150 days for filing this application by the applicants for bringing themselves on record. However, considering the right to sue, which still survives, and for the reasons mentioned in the application, the application is hereby allowed. The delay of 150 days stands condoned and the applicants are permitted to bring themselves on record as mentioned in the title clause of this application, in place of the deceased appellant, within the stipulated period.

2. The Civil Application is accordingly disposed of.

**(SANDIPKUMAR C. MORE, J.)**