

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

8 CIVIL APPLICATION NO.13878 OF 2022
IN RC/1336/2019 WITH CA/13879/2022 IN RC/1336/2019

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND OTHERS
VERSUS
SUBHASH RAMA YEMGAR (DIED) THR LRS. BUKABAI SUBHASH
YEMGAR AND OTHERS

...
Advocate for Applicants / State : Mr. S.R. Yadav Lonikar
Advocate for Respondent : Mr. P.S. Chavan
...

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 3rd October, 2022

P.C.:-

Heard rival submissions.

2. The applicants are seeking setting aside the order dated 05.07.2019 whereby the appeal was dismissed for want of steps. The applicants are also seeking relief for bringing legal heirs of deceased-respondent namely Subhash Rama Yemgar by condoning the delay of 2042 days. There is no strong objection from the other side. As such following order is passed:

ORDER

i) The application is hereby allowed in terms of prayer

clause-B, C and D.

- ii) After restoration of appeal to its original stage the legal heirs of sole-respondent be brought on record within stipulated period.
- iii) After the amendment is carried out in stay application as well in civil application for condonation of delay then the same shall stand allowed subject to deposit of entire amount of impugned award through common cheque of Rs.7,68,281/-.
- iv) Office is directed to accept the aforesaid common cheque in respect of two separate matters.

[SANDIPKUMAR C. MORE]
JUDGE