

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

**8 SECOND APPEAL NO. 413 OF 2012
WITH
SECOND APPEAL NO. 650 OF 2014
WITH
CIVIL APPLICATION NO. 6720 OF 2011
IN SA/650/2014
WITH
CIVIL APPLICATION NO. 4647 OF 2023
IN SA/413/2012
WITH
CIVIL APPLICATION NO. 7095 OF 2012
IN SA/413/2012**

**BALASAHEB @ LAXMIDAS S/O RAJABHAU DESHMUKH AND
ORS
VERSUS
ZILLA PARISHAD BEED AND ORS**

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Mr. Deshmukh V. V. Advocate for Appellants
Mr. Ravindra Wankhede h/f Mr. N. L. Jadhav, Advocate for
Respondent Nos.1 & 4, 4 & 6 (In respective matters)
Ms. Rekha Choudhary h/f Mr. S. S. Choudhary, Advocate for
Appellant (In SA No.650 of 2014)
Mr. H. V. Tungar, Advocate for Respondent No.1
Mr. A. R. Tapse h/f Mr. Adv. P. D. Suryawanshi, Advocate for
Respondent No.1
Mr. V. S. Badakh, AGP for Respondent No.5

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 05/02/2024.**

P. C. :

A) ORDER IN SECOND APPEAL NO.650 OF 2014 :-

1. The learned counsel for respondent no.1 pointed out that
appellant No.1 as well as respondent No.8 in this second appeal are

no more and office note shows that no steps are taken since long in respect of the aforesaid parties. Further, as per order dated 04/11/2023 the matter is already abated on 18/12/2023 against appellant No.1 and respondent No.8.

2. Stand over to 04/03/2024.

B) ORDER IN CIVIL APPLICATION NO.4647 OF 2023 :

1. Heard rival submissions.
2. The applicant is seeking permission to bring on record legal representatives of deceased respondent No.6, who died on 25/10/2020, by condoning the delay of 762 days.
3. The learned counsel for the respondent No.6 opposed the application on the ground that there is a huge delay. However, considering the statutory right of the applicants, the aforesaid delay, stands condoned subject to cost of Rs.1500/- to be paid to the Advocate Bar Library, High Court, Aurangabad. Accordingly, the application is allowed in terms of prayer clause-A & B. Amendment be carried out within the stipulated period. The application is accordingly disposed of. .

(SANDIPKUMAR C. MORE, J.)