



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

**CIVIL APPLICATION NO. 4466 OF 2024
WITH CIVIL APPLICATION NO. 3633 OF 2024
IN FA/924/2017**

**SARUBAI DASHRATH NIRVAL DIED THR LRS DATTA
DASHRATH NIRVAL AND ANR**

VERSUS

**THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
JALNA AND ORS**

....

Mr. D. M. Kakade, Advocate for applicants

Mr. S. V. Hange, AGP for respondent Nos. 1 and 2

Mr. A. V. Nadawale, Advocate h/f Mr. A. M. Gaikwad, Advocate for
respondent No.3

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CORAM : Y. G. KHOBRAGADE, J.

DATE : 29 APRIL 2024

PER COURT :-

1. Heard the learned Counsel for respective parties at length.

2. By the present application, the applicants/claimants prays for condonation of delay of 1545 days caused for bringing the legal heirs of deceased appellant/original claimant on record as well as setting aside the abatement and permission to bring the legal heirs of deceased appellant on record.

3. The delay explained by the applicant appears to be bona-fide and justifiable. Therefore, the delay is hereby condoned. The abatement is quashed and set aside. The applicant is permitted to bring the legal heirs of deceased appellant on record.

4. Necessary amendment be carried out within a period of two weeks from today.

5. Both the civil applications are accordingly disposed of.

[Y. G. KHOBRAGADE, J.]

SMS