



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

**950 CIVIL APPLICATION NO. 10397 OF 2024
IN FA/600/2011**

**SHRIPAD DIGAMBARRAO KULKARNI AND ORS
VERSUS
THE STATE OF MAHARASHTRA THR. COLLECTOR OSMANABAD
AND ORS**

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Mr. Akash E. Madne, Advocate h/f Mr. R. P. Adgaonkar, Advocate
for the Applicants

Mr. N. B. Narwade, AGP for Respondent No.1 – State

Mr. B. A. Shinde, Advocate for Respondent No.2

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CORAM : Y. G. KHOBRAGADE, J.

DATE : 29.11.2024

PER COURT :-

1. Heard the learned Counsel for the respective sides at length.
2. Leave to amend the prayer clauses of the Civil Application is granted to the extent of setting aside of abatement.
3. Amendment be carried out within a period of seven days from today, failing which the Application shall stand dismissed without reference to the Court.

4. The Applicants shall pay D.C.F. of Rs.40/-, as the Applicants have set out three prayers in one Application, as three Applications required to be filed as per the law.

5. By the present Application, the Applicants prayed for following reliefs.

- (i) Condonation of delay of 813 days caused while bringing legal heirs of Applicant No.3 on record.
- (ii) Setting aside the abatement.
- (iii) Bringing the legal heirs of deceased Appellant No.3 on record.

6. For the reasons set out in the Application, the delay of 813 days caused for bringing the legal heirs of deceased Appellant No.3 on record, is hereby condoned. The abatement is set aside. The Applicants are permitted to bring the legal heirs of deceased Appellant No.3 on record.

7. Accordingly, the Civil Application is disposed of.

[Y. G. KHOBRADE, J.]

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