

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

**916 CIVIL APPLICATION NO. 10416 OF 2024
IN CAST/4186/2020
WITH
CIVIL APPLICATION NO. 10533 OF 2024
IN SAST/4185/2020**

**LAXMIBAI ALIAS SARUBAI BABURAO WAKADE L.RS. KAVITA
DIPAK WADADE
VERSUS
THE CHAIRMAN, PANCHAYAT SAMITI, JAFRABAD**

...
Mr. Shriram Deshmukh, Advocate for the applicants.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 27 SEPTEMBER 2024

ORDER:-

IN CIVIL APPLICATION NO. 10416 OF 2024 :

1. Heard learned Counsel for the applicants.
2. The applicant is seeking recalling of order dated 01.12.2021 whereby registration of her second appeal was refused for non-removal of office objections. There is also huge delay of 967 days in filing this application. The learned counsel for the applicant undertakes to remove all the office objections within one week.
3. In view of the same, the order dated 01.12.2021 stands recalled and the second appeal be restored for removal of office objections within one week subject to deposit of cost of Rs.5,000/- to be paid to the Library, Advocates Association of High Court, Bombay, Bench at Aurangabad.

4. Application is disposed of accordingly.

IN CIVIL APPLICATION NO. 10533 OF 2024 :

1. Heard learned Counsel for the applicants.

2. The application is filed by applicant Kavita for substituting her name as appellant in place of deceased sole appellant Laxmibai Baburao Wakade who admittedly died on 19.09.2023 since she is the sole person representing the estate of deceased. The documents on record show that the disputed property was given by Laxmibai to her son Deepak by way of registered Gift Deed dated 10.11.2022, who in turn gave the same to applicant Kavita by way of partition-deed dated 02.01.2023. The mutation entry No. 12490 is also effected accordingly which is placed on record. In view of the same, the application stands allowed in terms of prayer clause (B) and disposed of. The amendment be carried out forthwith.

(SANDIPKUMAR C. MORE, J.)