



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 10656 OF 2024
IN
CROSS OBJECTIONS ST. NO. 17425 OF 2010
IN
FIRST APPEAL NO. 331 OF 2010

Kalabai Ramdas patil
Since deceased Thr. LRs.

...Applicants.

In the matter between :

State of Maharashtra

...Appellant.

Versus

Prabhakar K. Gavand and Others.

...Respondents.

Mr. Sachin Punde for the Applicants.

Mr. A. R. Patil, AGP for the Appellant-State.

Coram : Sharmila U. Deshmukh, J.

Date : September 10, 2024.

P. C. :

1. The Applicants who are the legal heirs of deceased Respondent No. 2 have preferred this application for being impleaded in the Cross-objections as legal heirs of Respondent No.2, for condonation of delay of 11 years and 235 days caused in filing the present application and for setting aside abatement of Cross-objections as against the Respondent No. 2.

2. Learned counsel appearing for the Applicant submits that the

Applicants, who are agriculturists, are not aware of the legal procedure and as such there occurred delay in communicating the fact of death of Respondent No.2 to their advocate

3. Learned AGP does not seriously oppose the application.
4. For the reasons stated, the delay is condoned, the abatement is set aside and the Interim Application is allowed. Amendment in the Cross-Objections to be carried out within a period of four weeks from today.

[Sharmila U. Deshmukh, J.]