



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

**950 CIVIL APPLICATION NO. 5224 OF 2024
IN FA/1662/2011**

**SYED SHARIF S/O MEHBOOB (DIED) THR LRS. SAYED SAFDAR
SHAREEF AND ORS**

VERSUS

**THE STATE OF MAHARASHTRA THROUGH DIST. COLLECTOR,
BEED AND ANR**

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Mr. M. S. Karad, Advocate for the Applicants
Ms Chaitali Chaudhari – Kutti, AGP for the Respondent - State

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CORAM : Y. G. KHOBRAGADE, J.

DATE : 07.03.2025

PER COURT :-

1. Heard the learned counsel for the Applicants and the learned AGP, at length.

2. By the present Application, the legal heirs of the Applicant No.1 prayed for permission to bring their names being legal heirs of the deceased Appellant No.1, who died on 26.08.2022 during the pendency of the present Appeal. However, for want of literacy, their names could not be brought on record

within the period of 90 days, hence prayed for condonation of delay of 419 days caused while lodging the application for bringing legal heirs on record.

3. Accordingly, the abatement is quashed and set aside. The Applicants are permitted to bring their names being legal heirs of Appellant No.1 on record. Necessary amendment be carried out on or before 21.03.2025, failing which the Appeal shall stand abated as against the Appellant No.1.

4. The Civil Application is disposed of.

[Y. G. KHOBRAGADE, J.]

SMS