



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 CIVIL APPLICATION NO. 1488 OF 2025
IN WP/12250/2018

VITTHAL RUKHMINI DEOSTHAN THOROUGH ITS TRUSTEES KISAN
BHAU HOLKAR AND OTHERS

VERSUS

BAPU SHANKAR DIVATE THROUGH LRS GANPAT BAPU DIVATE
DIED AND OTHERS

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Advocate for Applicants : Ms. Ashwini Mate h/f Mr.M. S. Mhase

AGP for Respondents-State : Ms. Vaishali Patil (Jadhav)

Advocate for Respondents No. 1/1 to 1/4 : Mr. Saurabh Veer h/f
Talekar And Associates

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CORAM : MANJUSHA DESHPANDE, J.

Dated : February 26, 2025

PER COURT :-

1. Present civil application has been filed by the applicants for bringing the legal representatives of deceased respondent No. 1 on record. Notices have been issued and Advocate Mr. Saurabh Veer has received instructions to cause appearance for the proposed legal heirs of deceased respondent No. 1.

2. There is delay of 463 days in filing the present civil application. The explanation for delay is given in para No. 6 of the application. It is stated that present applicants are old-aged and hence, they were not in a position to travel and take appropriate steps

within time. The delay is not intentional.

3. Upon going through the reasons mentioned in the application, the delay has been satisfactorily explained. Hence, civil application is **allowed** and the delay of 463 days caused in filing the present application is condoned.

4. Petitioner is permitted to carry out amendment in the title of the present application forthwith which is wrongly mentioned as 'Second Appeal'.

5. Petitioner to carry out necessary amendment regarding the legal heirs of deceased respondent No. 1 within two weeks.

6. In view of the above, civil application stands disposed of.

(MANJUSHA DESHPANDE, J.)

Omkar Joshi