



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

**CIVIL APPLICATION NO. 3149 OF 2025  
IN FA/3937/2023**

Nirmalkumar Rodmal Vaidya And Anr

VERSUS

The Special Land Acquisition Officer, Jayakwadi Project Thr  
Sub Div. Officer Kannad And Anr

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Mr. D. A. Bide h/f Mr. V. B. Wayal, Advocate for Applicants  
Mr. S. V. Hange, AGP for Respondent-State

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**CORAM : AJIT B. KADETHANKAR.**

**DATED : 11<sup>TH</sup> SEPTEMBER, 2025**

**ORDER :-**

. This is an application seeking condonation of delay in bringing legal representatives of the deceased appellant no.2 namely, Santoshkumar Vaidya. It is contended that the First Appeal was filed in the year 2017 and was numbered as First Appeal St. No.38709 of 2017. In the course of time, the delay occurred in filing the First Appeal came to be condoned vide order passed by this Court on 10.08.2023.

. Mr. D. A. Bide h/f Mr. V. B. Wayal further contends that during pendency of the appeal, unfortunately the appellant no.2 died on 28.05.2020. He further submits that due to non communication with his client, he could not file present Civil

Application earlier. It is only when information is received about death of the appellant no.2, present Civil Application is filed. With this, Mr. Bide submits that the delay is not deliberate one and nor to protract any proceeding.

. Mr. S. V. Hange, learned AGP has no objection for allowing this Civil Application. Hence, following order:

- a. Civil Application stands allowed.
- b. Delay of 984, caused in filing Civil Application stands condoned.
- c. Appellants are permitted to amend the title clause of the appeal and applications therein by incorporating the name of Mr. Nirmalkumar Vaidya as legal representative of deceased Santoshkumar Vaidya.
- d. Amendment be carried out forthwith.
- e. Civil Application stands disposed of.

**( AJIT B. KADETHANKAR, J. )**