



IN THE HIGH COURT OF JUDICATURE AT BOMBAY BENCH
AT AURANGABAD

7 CIVIL APPLICATION NO. 8588 OF 2021
IN SA/804/2003 WITH
SECOND APPEAL NO. 804 OF 2003

SAMPAT DEOJI PAGARE DECEASED LRS. BHAUDAS SAMPAT
PAGARE AND OTHERS

VERSUS

YOGAJI BHAU PAGAR DECEASED LRS. GAUBAI YOGAJI
PAGARE AND OTHERS

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Advocate for Applicant/s : Mr. A. B. Gatne (Through V. C.).

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CORAM : SHAILESH P. BRAHME, J.

DATE : 08.09.2025

PER COURT :-

1. Present application is for condonation of delay of 1005 days in bringing heirs on record and setting aside abatement. Sole appellant who is plaintiff died. The cause of action survives against the heirs shown in the title clause of the civil application. Those are necessary parties.
2. Second appeal is admitted and pending for final hearing.
3. For the reasons stated in the application, it stands allowed in terms of prayer clauses "A, B and C". Civil application is disposed of accordingly.

4. Necessary amendment shall be carried out within a period of four (4) weeks from today.

(SHAILESH P. BRAHME, J.)

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vmk/-