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

**CIVIL APPLICATION NO. 3118 OF 2025
IN WP/1113/2018
WITH
WRIT PETITION NO. 1113 OF 2018**

**BHAUSAHEB SAMPAT SHINDE DIED THROUGH LRS
GANESH BHAUSAHEB SHINDE AND OTHERS
VERSUS
KADUBAL BHAURAO PACHUDE AND OTHERS**

...
Shri Deshmukh Himmatsinh D., Advocate for the Applicants.
Shri P.A. Bharat, Advocate for Respondent No.1.
Shri S.S. Shete, Advocate for Respondent No.2.
Ms. P.V. Diggikar, AGP for Respondent No.4/State.
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CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 16th April, 2025

Per Court :-

1. This is an application for bringing legal representatives of the sole petitioner on record.
2. Learned advocate for the applicants submits that after the writ petition was filed in the year 2018, the petitioner did not contact for long time and when steps were being taken for circulating the petition, it was revealed that the sole petitioner has expired. He submits that the Civil Application is thereafter

immediately filed on behalf of the legal representatives. Although there is delay of 1012 days, same is unintentional and on account of sufficient cause.

3. Learned advocate for the respondents and the learned AGP for the State authorities oppose the Civil Application and submit that delay is inordinate.

4. Perused the Civil Application and considered the reasons mentioned for delay. The respondents have not filed any reply to the Civil Application.

5. In view of the controversy involved in the petition, the cause of action survives and the legal representatives of the sole petitioner need to be given an opportunity to contest the proceedings. For the reasons mentioned in the Civil Application, delay is condoned and the names of the legal representatives of the sole petitioner are allowed to be brought on record, subject to costs of Rs.2,000/- (Rupees Two Thousands) to be paid by the applicants in the Bar Library of the Advocates' Association of Bombay High Court, Bench at Aurangabad, within two weeks from today. Amendment be carried out within two weeks. The Civil Application is, accordingly, disposed of.

6. The Writ Petition be fixed for admission on
18.06.2025.

kps

(PRAFULLA S. KHUBALKAR, J.)