



902 CA 13308-2017

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

902 CIVIL APPLICATION NO. 13308 OF 2017
IN FIRST APPEAL (ST) NO. 12719 OF 2017
WITH
CIVIL APPLICATION NO. 1169 OF 2025 IN FAST/12719/2017
WITH
CIVIL APPLICATION NO. 1170 OF 2025 IN FAST/12719/2017
WITH
CIVIL APPLICATION NO. 1172 OF 2025 IN FAST/12724/2017
WITH
CIVIL APPLICATION NO. 1171 OF 2025 IN FAST/12724/2017
WITH
CIVIL APPLICATION NO. 13309 OF 2017 IN FAST/12724/2017

NIVARATHI KRISHNAJI CHIKATE (DIED) THROUGH L.RS.
ABHIMANYU AND OTHERS

VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr. S.S. Halkude – Advocate for Applicants

Mr. D.J. Patil – AGP for Respondent Nos.1 and 2, State

Mr. Padalkar h/f. Mr. D.V. Soman – Advocate for Respondent No.4

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 29th January, 2025

PER COURT :

CIVIL APPLICATION NO. 1169 OF 2025

1. Heard rival submissions.
2. The application is filed for bringing legal representatives of deceased appellant 1C – Gunwant Chikate who admittedly died on

16.04.2021, by condoning the delay of 655 days.

3. Learned Counsel for acquiring body as well as learned A.G.P. strongly opposed the application on the ground that, the delay is inordinate. However, considering reasons mentioned in the application, the application stands allowed in terms prayer clause – 'B', subject to cost of Rs.1,000/- (rupees One Thousand only) to be paid to the Government Pleader's Library of High Court, Bombay, Bench at Aurangabad within two weeks.

4. Amendment be carried out after deposit of cost and within stipulated period.

5. The application is accordingly disposed of.

CIVIL APPLICATION NO. 1170 OF 2025

6. Heard rival submissions.

7. The application is filed for bringing legal representatives of deceased appellant 1A – Abhimanyu Chikate who admittedly died on 09.04.2021, by condoning the delay of 655 days.

8. Learned Counsel for the acquiring body as well as learned A.G.P. strongly opposed the application on the ground that, the delay

is inordinate. However, considering reasons mentioned in the application, the application stands allowed in terms prayer clause – B, subject to cost of Rs.1,000/- (rupees One Thousand only) to be paid to the Government Pleader's Library of High Court, Bombay, Bench at Aurangabad within two weeks.

9. Amendment be carried out after deposit of cost and within stipulated period.

10. The application is accordingly disposed of.

CIVIL APPLICATION NO. 1172 OF 2025

11. Heard rival submissions.

12. The application is filed for bringing legal representatives of deceased appellant No.2 – Abhimanyu Chikate who admittedly died on 09.04.2021, by condoning the delay of 655 days.

13. Learned Counsel for the acquiring body as well as learned A.G.P. strongly opposed the application on the ground that, the delay is inordinate. However, considering reasons mentioned in the application, the application stands allowed in terms prayer clause – B, subject to cost of Rs.1,000/- (rupees One Thousand only) to be paid to the Government Pleader's Library of High Court, Bombay,

Bench at Aurangabad within two weeks.

14. Amendment be carried out after deposit of cost and within stipulated period.

15. The application is accordingly disposed of.

CIVIL APPLICATION NO. 1171 OF 2025

16. Heard rival submissions.

17. The application is filed for bringing legal representatives of deceased appellant 1 – Gunwant Chikate who admittedly died on 16.04.2021, by condoning the delay of 655 days.

18. Learned Counsel for the acquiring body as well as learned A.G.P. strongly opposed the application on the ground that, the delay is inordinate. However, considering reasons mentioned in the application, the application stands allowed in terms prayer clause – B, subject to cost of Rs.1,000/- (rupees One Thousand only) to be paid to the Government Pleader's Library of High Court, Bombay, Bench at Aurangabad within two weeks.

19. Amendment be carried out after deposit of cost and within stipulated period.

20. The application is accordingly disposed of.
21. List the matters on 12th February, 2025.

[SANDIPKUMAR C. MORE]
JUDGE