



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

**CIVIL APPLICATION NO. 3469 OF 2025
IN SA/127/2025**

**YASHODKHAN KAMALKHAN PATHAN SINCE DECEASED
THR LRS MUMTAJBI YASUDKHA PATHAN AND ORS**

VERSUS

**THE STATE OF MAHARASHTRA THR THE COLLECTOR,
AHMEDNAGAR AND ORS**

...

Mr. Rajendra Sudam Kasar, Advocate for Applicants.

Mr. V. S. Badakh, AGP for Respondents-State.

...

**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 25th APRIL, 2025.**

P.C.:-

1. Heard learned Advocates appearing for respective parties.
2. It is submitted that Yashodkhan Kamalkhan Pathan was original plaintiff no.1 in Regular Civil Suit No.148/2014 alongwith his three sons namely Rashid, Nasir and Yasin. During pendency of Regular Civil Appeal No.169/2019 filed by respondents before District Judge at Ahmednagar, he expired. However, respondent/State of Maharashtra did not file any application for bringing legal representatives on record, as sons of Yashodkhan Pathan were already on record.
3. The learned Advocate appearing for applicants submits that wife of Yashodkhan was not brought on record, although she is one of legal representative.
4. Considering submissions advanced, it is apparent that wife of deceased Yashodkhan Pathan namely Mumtajbi Yashodkhan Pathan left behind from proceeding due to failure on the part of

State Authorities to bring her on record. Now she wants herself to be added as party alongwith her sons in this Second Appeal.

5. Looking to the conspectus of matter, there is no impediment in allowing application. Hence, Civil Application is allowed in terms of prayer Clauses (A) and (B).

6. Amendment to be carried out within period of two weeks from today.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/April-2025