



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

16 SECOND APPEAL NO. 13 OF 2016

**MADHAV NAMDEO UDAWANT AND OTHERS
VERSUS
LAXMAN SHIVRAM UDAWANT DEAD SOMNATH AND
OTHERS**

**WITH CIVIL APPLICATION NO. 9608 OF 2016
IN SA/13/2016 WITH CIVIL APPLICATION NO. 7091 OF 2018
IN SA/13/2016 WITH CIVIL APPLICATION NO. 171 OF 2016
IN SA/13/2016**

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Advocate for Appellants : Mr. Kasliwal Anil H.
Advocate for respective Respondents : Mr. T. S. Lodhe h/f Mr.
Gandhi Amrutlal Z.

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**CORAM : SHAILESH P. BRAHME, J.
DATE : 04.12.2025**

PER COURT :-

Civil Application No.7091 of 2018

1. Applicants seek to condone delay, setting aside abatement and bringing legal heirs of deceased applicant No.1 Madhav Udawant on record.
2. The cause of action survives as against the legal heirs which are shown in paragraph No.4 of the application. Those are necessary parties. It is desirable to condone the delay.

3. Civil application is allowed in terms of prayer clauses “B” and “C”.

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4. Applicants pray for condonation of delay in bringing legal heirs of deceased respondent Nos.3, 8 and 11 on record and for setting aside consequential abatement. The proposed legal heirs are served. They are necessary parties.

5. For the reasons stated in the application, delay stands condoned. Abatement is set aside and legal heirs of respondent Nos.3, 8 and 11 are permitted to be brought on record. Amendment shall be carried out before the next date.

6. List the second appeal on 16.12.2025.

7. It would be open for the parties to intimate the competent revenue authority regarding the status of the present second appeal.

(SHAILESH P. BRAHME, J.)

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vmk/-