



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

**CIVIL APPLICATION NO. 4361 OF 2025
IN FA/1567/2007**

**MAROTI RAMRAO KONALE DIED THR LRS
CHATURABAI AND ORS**

VERSUS

THE STATE OF MAHARASHTRA AND ORS

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Advocate for Applicants : Mr. Kurundkar Sameer Sunilrao
Advocate for Respondent No.3 : Mr. P.V. Gole h/f Mr. P.G. Rodge
AGP for Respondent Nos. 1 and 2/State : Mr. K.K. Naik
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CORAM : SHAILESH P. BRAHME, J.

DATE : 17th APRIL 2025

PER COURT :

. This application is for condonation of delay in setting aside abatement and for bringing heirs of deceased – Applicant No.1 – Maroti Ramrao Konale; Applicant No.2 – Vithal Ramrao Konale and Applicant No.4 – Ganesh Gangadhar Konale, on record.

2. The cause of action survives against heirs of deceased Applicants. The delay is explained in Paragraph No.6 of the application. The delay is not intentional. First Appeal is yet to be heard on merits. In that view of the matter, I am inclined to allow present application.

3. The Civil Application is allowed in terms of prayer clause 'B', 'C' and 'D'.

4. Amendment be carried out within four weeks.

SHAILESH P. BRAHME
JUDGE

NATEEB..