



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

**14 CIVIL APPLICATION NO. 11290 OF 2025
IN RC/890/2019 WITH
CIVIL APPLICATION NO. 5302 OF 2020
IN RC/890/2019**

**KERUNATH RAMKISAN GHOGRE DIED THR. LRS VIJAY
KERUNATH GHOGARE AND ORS
VERSUS
DILIP GANPAT BHANGE AND ANR**

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Advocate for Applicants : Mr. Jayabhar Dattatraya R.

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**CORAM : SHAILESH P. BRAHME, J.
DATE : 15.10.2025**

PER COURT :-

1. Civil Application No.5302 of 2020 is for restoration of the appeal which was dismissed for non removing the office objections.
2. For the reasons stated in the application, it is desirable to restore first appeal to its original position. Civil application is allowed in terms of prayer clauses "B" and "C".
3. It is clarified that the applicant shall furnish undertaking in the first appeal that in case first appeal is allowed, he will not claim interest and statutory benefits from 05.11.2019 till today.

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4. The applicants seek to condone delay and to set aside abatement for bringing themselves on record.
5. The cause of action survives against the applicants after death of only claimant Kerunath Ramkisan Ghogre. There are no malafides in preferring the application belatedly.
6. Civil application is allowed in terms of prayer clauses "B" and "C".

(SHAILESH P. BRAHME, J.)

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vmk/-