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

**944-2 CIVIL APPLICATION NO. 4774 OF 2025
IN FA/3525/2023**

**ANANDRAO MAHADEV KAWADE, DECEASED, THROUGH
LEGAL HEIRS SUWARNA ANANDRAO KAWADE AND OTHERS
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION
AND OTHERS**

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Mr A. N. Nagargoje, Advocate h/f Mr R. K. Shinganpure, Advocate for applicants

Mr Ram B. Deshpande, Advocate for respondent No.1

Ms R. R. Tandale, A.G.P. for respondent Nos.2 & 3

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 18th June, 2025

PER COURT:

1. This is an application for bringing legal representatives of sole respondent on record in appeal by condoning delay of 1060 days for filing this application.

2. Heard Mr Nagargoje, learned counsel for applicants. He submits that applicant (respondent No.1 in appeal), who was claimant had expired and his legal heirs need to be brought on record. He submits that since the appellants have not filed any application, the legal representatives have filed instant application for bringing their

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names on record in appeal since cause of action survives and they have personal interest.

3. Advocate Mr Deshpande, learned counsel for the appellant (respondent No.1 herein) has no objection for allowing the application by condoning the delay.

4. Considering the submissions advanced and no objection, in the interest of justice, the delay of 1060 days is condoned. The names of legal representatives of deceased applicant No.1 be substituted as respondent Nos.1-A to 1-C in the memorandum of the appeal. Amendment be carried out within a period of three weeks from today.

5. Civil Application is disposed of.

(PRAFULLA S. KHUBALKAR, J.)

sjk