



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

CIVIL APPLICATION NO. 3447 OF 2024 IN AO/67/2025
WITH
CIVIL APPLICATION NO. 5790 OF 2024 IN AO/67/2025
WITH
CIVIL APPLICATION NO. 4556 OF 2024 IN AO/67/2025
(Sow. Kamal Raosaheb Shipalkar Vs. Shivaji Laxman Palaskar
and others)

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Advocate for Appellant/Applicant : Mr. Amol Karbhari Gawali.

Advocate for Respondent Nos.1 to 3, 4A to 4H, 6 & 7 : Mr.
Yuvraj V. Kaked.

Advocate for Respondent Nos.5, 11A to 11D : S. H. Tripathi.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 11.09.2025

PER COURT :-

1. Heard both sides.
2. Civil Application Nos.3447 of 2024, 5790 of 2024 and 4556 of 2024 are filed by appellant in appeal to condone the delay, to set aside abatement and to bring heirs of deceased respondent No.4 Paraji Raosaheb Palaskar on record. He expired on 22.02.2021 during pendency of appeal but no steps were taken to bring his heirs on record.
3. The cause of action survives against heirs of respondent No.4. For the reasons stated therein, civil applications are

allowed thereby condoning delay, setting aside abatement and bringing heirs of respondent No.4 on record.

4. Civil applications are disposed of accordingly.
5. Both parties would be at liberty to carry out similar type of amendment in Regular Civil Appeal No.74 of 2019.

(SHAILESH P. BRAHME, J.)

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vmk/-