



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

**CIVIL APPLICATION NO. 5399 OF 2025
IN FAST/30247/2011**

The Maharashtra State Industrial Development Corporation

VERSUS

Dharmaraj Bhimaji Auti (deceased) Thr Lrs Gajanan
Dharmaraj Auti And Ors

...

Mr. S. S. Dande, Advocate for Applicant

Ms. Chaitali Choudhari-Kutti, AGP for Respondent-State

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CORAM : SHAILESH P. BRAHME, J.

DATED : 07TH MAY, 2025

PER COURT :-

. Applicant is soliciting condonation of delay of 1072 days in bringing heirs of the respondent No.2, Chandrakant Dharmaraj Auti on record by setting aside abatement.

2. Learned AGP also seeks deletion of respondent No.3, Subhadrabai Dharmaraj Auti, as her heirs are already on record i.e. respondent No.1 Gajanan Dharmaraj Auti.

3. I have gone through paragraph Nos. 2 to 6. Respondent Nos.2 and 3 died, the cause of action survives against heirs of respondent No.2 as mentioned in para No.5 of the application. There are convincing reasons for condoning the delay. Hence, Civil Application is allowed in terms of prayer

clause (A), (B) and (B-1). Respondent No.1 and respondent Nos.2A to 2C shall be treated as heirs of respondent No.3, Subhadrabai Dharmaraj Auti. Amendment shall be carried out within period of six weeks.

(SHAILESH P. BRAHME, J.)

Rushikesh/2025