



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

**CIVIL APPLICATION NO. 8704 OF 2025
IN
SECOND APPEAL NO. 719 OF 2013**

Vaishalee Sambhajee Kakad
and another .. Applicants

Versus

Laxman Nana Kakad
Since deceased through his L.Rs.
Madhav Laxman Kakad and others .. Respondents

Shri Vinod Y. Bhide, Advocate for the Applicants.
Shri A. N. Nagargoje, Advocate for the Respondent Nos. 1 to 5.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 14TH AUGUST, 2025.**

FINAL ORDER :

. Heard both sides.

2. Present application is for condonation of delay, setting aside abatement and for bringing legal heirs of the deceased respondent Nos. 1 and 3 on record. For the reasons stated in the application delay stands condoned. The cause of action survives against the legal heirs of the deceased respondents.

3. The respondent Nos. 2 and 8 are heirs of the respondent No. 1, who are already on record. They are to be treated as heirs of the respondent No. 1. The respondent Nos. 3A to 3D are legal

heirs of the respondent No. 3. Learned counsel Mr. Ankush N. Nagargoje seeks time to take instructions for appearing on their behalf also.

4. In that view of the matter civil application is allowed in terms of prayer clauses 'B' to 'E'. The civil application is disposed of.

5. Amendment to be carried out within a period of two (02) weeks from today.

[SHAILESH P. BRAHME J.]

bsb/Aug. 25