



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

**CIVIL APPLICATION NO. 6990 OF 2025
IN SA/264/1999**

**KASHINATH MAHADAYYA SWAMI L.RS. KALAWATI
KASHINATH MALBHAGE AND OTHERS**

VERSUS

**BANDAYYA MAHADAYYA SWAMI L.RS. SHARNNAYA
BANDAYYA MADBHAGE AND ORS.**

...

Advocate for Applicants : Mrs. Ansari A.N.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 18th JULY 2025

PER COURT :

1. Heard Mrs. Ansari learned Counsel for the Applicants. None appears for the Respondents.
2. The present application is for condonation of delay in bringing legal heirs on record, setting aside abatement and bringing heirs of sole Applicant, on record. The cause of action survives against the heirs, shown in paragraph no.7 of the application. They are necessary parties and they are entitled to prosecute Second Appeal.
3. Civil Application is allowed in terms of prayer clause 'B' and 'C'.

**SHAILESH P. BRAHME
JUDGE**