



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

**CIVIL APPLICATION NO. 9830 OF 2025
IN
SECOND APPEAL NO. 1238 OF 2005**

Shantabai Ramratan Shrivastav
Since deceased through his L.rs.
Kusumbai @ Shilabai Prakash @ Babulal
Shrivastav and others .. Applicants

Versus

Shankar Jaikisan Wadgaonkar
Since deceased through his L.rs.
Ramesh and others .. Respondents

**WITH
CIVIL APPLICATION NO. 9831 OF 2025
IN
SECOND APPEAL NO. 1238 OF 2005**

Shantabai Ramratan Shrivastav
Since deceased through his L.rs.
Kusumbai @ Shilabai Prakash @ Babulal
Shrivastav and others .. Applicants

Versus

Shankar Jaikisan Wadgaonkar
Since deceased through his L.rs.
Ramesh and others .. Respondents

**WITH
CIVIL APPLICATION NO. 9833 OF 2025
IN
SECOND APPEAL NO. 1238 OF 2005**

Shantabai Ramratan Shrivastav
Since deceased through his L.rs.
Kusumbai @ Shilabai Prakash @ Babulal
Shrivastav and others .. Applicants

Versus

Shankar Jaikisan Wadgaonkar
Since deceased through his L.rs.
Ramesh and others .. Respondents

**WITH
CIVIL APPLICATION NO. 9834 OF 2025
IN
SECOND APPEAL NO. 1238 OF 2005**

Shantabai Ramratan Shrivastav
Since deceased through his L.rs.
Kusumbai @ Shilabai Prakash @ Babulal
Shrivastav and others .. Applicants

Versus

Shankar Jaikisan Wadgaonkar
Since deceased through his L.rs.
Ramesh and others .. Respondents

Mrs. Charuta S. Deshmukh, Advocate for the Applicants.
Shri N. S. Raole, Advocate h/f Shri L. V. Sangit, Advocate for the
Respondent Nos. 1(i) to 1(iii), 1(v) to 1(vii).

**CORAM : SHAILESH P. BRAHME, J.
DATE : 12TH SEPTEMBER, 2025.**

FINAL ORDER :

. Heard both sides.

2. I propose to decide these civil applications by common order. Those are filed for condonation of delay caused in bringing legal heirs of the deceased parties, setting abatement and taking the legal heirs of the deceased parties on record.

3. Learned counsel Mr. Raole holding for Mr. L. V. Sangit learned counsel for the respondents submits that he has

instructions to appear for the proposed legal heirs of the deceased respondents.

Sr. No.	Civil Application No.	Name of the deceased party	Delay
01.	9830 of 2025	Appellant No. 8 – Mahendra Chaganlal Shrivastav	4533 days
02.	9831 of 2025	Respondent No. 1/F Sau. Nalini W/o Ganpatrao Kasar	1665 days
03.	9833 of 2025	Respondent No. 1/E Prabhavati Madhukarrao Bule	3240 days
04.	9834 of 2025	Respondent No. 1/D Dinesh Shankar Wadgaonkar	4166 days

4. It reflects from record that cause of action survives against heirs of the deceased parties referred to above. They are necessary parties. For the reasons stated in the applications, it is desirable to condone the delay. It is already disclosed that for the legal heirs of deceased respondents referred to above, learned counsel has instructions to cause appearance.

5. All civil applications are allowed in terms of prayer clauses 'B', 'C' and 'D'. The civil applications are disposed of.

[SHAILESH P. BRAHME J.]

bsb/Sept. 25