

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

918 CIVIL APPLICATION NO. 3005 OF 2025
IN FA/2452/2022

Baburao Shantappa Dhanure (died) Thr. Lrs.

VERSUS

The State Of Maharashtra, Through Collector, Osmanabad And Anr

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Mr. M. L. Dharashive - Advocate for Applicant

Mr. R. D. Raut - AGP for Respondent/State

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CORAM : NEERAJ P. DHOTE, J.

DATED : 19TH MARCH 2025

PER COURT : -

1. This is an Application for condonation of 19 days delay caused in preferring the Application for bringing on record the legal heirs of the Deceased/sole Appellant.

2. Issue notice to the Respondents. Learned AGP waives service of notice for Respondent Nos. 1 and 2.

3. It is submitted by the learned Advocate for the Applicants that the Legal heirs are the widow, daughter and sons of the deceased Appellant. The Appellant died during the pendency of the Appeal on 18.04.2024. It is further contended that one of the sons of the deceased / Original Appellant also died during the pendency of the Appeal i.e. on 04.08.2018. He submits that the Application be allowed.

4. The Application is opposed by the learned AGP.

5. Perused the Application, which is supported by the affidavit of the Applicant No. 1-A, who is the widow of the deceased Appellant. The copies of death certificates of the Original Appellant and his son i.e. Suresh Dhanure and the copy of the Legal Heir Certificate issued by the concerned Gram Panchayat showing the Applicants as the legal heirs of the Deceased Appellant are placed on record. Hence, the Application is allowed in terms of prayer clauses 'D', 'C' and 'B'.

6. The necessary amendment to be carried out within a period of two weeks.

7. The Applicants shall file the Legal Heir Certificate issued by the Competent Court before the final hearing of the Appeal.

[NEERAJ P DHOTE]
JUDGE