



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

CIVIL APPLICATION NO. 9355 OF 2024
IN FA/391/2024

Dharmaraj Ashok Kankal @ Khankal Died Through LRs. Vaishali and ors.
VERSUS
The State Of Maharashtra And Ors

Mr.L.C.Patil, Advocate for applicants
Mr.S.S.Dande, AGP for respondent nos.1 and 3
Mr.A.M.Gaikwad, Advocate for respondent no.2

CORAM : AJIT B. KADETHANKAR, J.
DATE : SEPTEMBER 09, 2025

ORDER :-

Heard.

2. Mr.L.C.Patil, learned counsel for the applicants, submits that the First Appeal is filed by the acquiring body as against the judgment and award passed in the L.A.R. No.857 of 2013, by learned 2nd Jt. Civil Judge, Senior Division, Omerga, Dist. Osmanabad. Present application is filed to bring on record the legal representatives of the deceased claimant. It is further contended that there is delay of 4338 days in filing the application. He submits that due to lack of communication *inter se* the parties and their advocates, legal representatives of the deceased claimant could not be brought on record earlier. He further submits that delay is not intentional nor

deliberate. With this, he prays for condonation of delay and permission to get the present applicants incorporated in the place of the deceased original claimant.

3. Learned AGP for respondent no.1 and learned counsel appearing for respondent nos.2 and 3 fairly do not oppose the application.

4. In the circumstances, the following order:-

(i) The delay of 4338 days caused in filing the present application stands condoned. The applicants be incorporated in the appeal in the capacity of the legal representatives of deceased – Dharmaraj Ashok Kankal.

(ii) Amendment be carried out within three weeks from today.

(iii) The application stands disposed of accordingly.

[AJIT B. KADETHANKAR, J.]

KBP