



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

**CIVIL APPLICATION NO. 11058 OF 2025  
IN  
FIRST APPEAL NO. 3103 OF 2018**

New India Assurance Co. Ltd.  
through its Authorized Signatory .. Applicant

**Versus**

Vandana Pradeep Wagh and others .. Respondents

Shri Mohit R. Deshmukh, Advocate for the Applicant.  
Shri A. P. Khedkar, Advocate for the Respondent Nos. 1, 3 and 4.

**CORAM : SHAILESH P. BRAHME, J.  
DATE : 08TH OCTOBER, 2025.**

**FINAL ORDER :**

. Applicant - Insurance company seeks to condone delay, setting aside abatement and bringing legal heirs of respondent No. 2 - Ramesh Rambhau Wagh on record.

2. In the present case, Pradeep Rambhau Wagh died in an accident. His widow, respondent No. 1 - Vandana, his father respondent No. 2 - Ramesh and his mother respondent No. 3 - Suman can be said to be the dependents and entitled to have share in the compensation. The respondent No. 3 - Sumanbai is already on record. Though the respondent No. 2A to 2G are heirs of the deceased Ramesh Wagh, they cannot be said to be dependents save and except respondent No. 2 - Sumanbai.

3. In that view of the matter, I find that delay needs to be condoned and application needs to be allowed to the limited extent.

4. For the reasons stated in the application, the delay stands condoned. The abatement as against the respondent No. 2 be set aside and respondent No. 3 - Sumanbai shall be treated to be legal heir of the respondent No. 2 – Ramesh Wagh. The civil application is disposed of.

4. Amendment shall be carried within a period of two (02) weeks from today.

**[ SHAILESH P. BRAHME J. ]**

*bsb/Oct. 25*