



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

**58 CIVIL APPLICATION NO. 8867 OF 2025  
IN SA/227/2011**

MANJULABAI DASHRATH BHAGAT DIED THR. LRS MACHHINDRA  
DASHARATH BHAGAT AND ORS.

VERSUS

JANKABAI YADAV LABADE DIED THR. LRS BHASKAR YADAV LABADE AND  
ORS

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Advocate for Applicant : Mr. Kulkarni Sanket S.

Advocate for Respondent Nos. 2A to 2F/1, 4 & 6 : Mr. Parag Barde h/f mr.  
R.K. Temkar

Advocate for Respondent No. 1D-1 to 1D-3 : Mr. Madhav N. Kalyane

...

**WITH**

**CIVIL APPLICATION NO. 8884 OF 2025  
IN SA/501/2003**

BHANUDAS YADAV LABADE AND ANOTHER  
VERSUS

MANJULABAI DASHRATH BHAGWAT L.RS. MACHINDRA DASHRATH  
BHAGAT AND OTHERS.

...

Advocate for Applicants : Mr. Parag V. Barde h/f Mr. Temkar Rajendra K.

Advocate for Respondent No. 4D-1 to 4D-3 : Mr. Madhav N. Kalyane

**CORAM : SHAILESH P. BRAHME, J.**

**DATE : 10.11.2025**

**PER COURT :**

Respondent no. 1B in Second Appeal No. 227/2011, who is also respondent no. 4B in Second Appeal No. 501/2003 is passed away. She is survived by the legal heirs, who were issued notices. They have caused appearance. The cause of action survives against them and they are necessary parties.

2. These are the cross-appeals. Delay in preferring application for

setting aside abatement and bringing legal heirs of deceased Sushilala @ Shashikala Ramdas Karale stands condoned. Both applications are allowed. Learned counsel Mr. Kalyane waives notice for the legal heirs of deceased Sushilabai.

3. S.O. to 10.12.2025 for final disposal at 4 p.m.

**( SHAILESH P. BRAHME, J.)**

mkd/-