



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

928 CRA NO. 208 OF 2016

DASHRATH SAKHARAM BHANDE AND OTHERS

VERSUS

USMAN IBRAHIM SHAIKH AND OTHERS

...

Mr. A. B. Sirsat h/f. Mr. H. V. Patil, Advocate for the applicants
,AGP for Respondents

Mr. S. S. Kazi, Advocate for Respondent Nos.1/1 to 1/4

WITH

CIVIL APPLICATION NO. 9394 OF 2025
IN CRA/208/2016

DASHRATH SAKHARAM BHANDE AND OTHERS

VERSUS

USMAN IBRAHIM SHAIKH AND OTHERS

...

CORAM : AJIT B. KADETHANKAR, J.

DATE : 01.10.2025

PER COURT :-

CIVIL APPLICATION NO. 9394 OF 2025 IN CRA/208/2016 (Delay)

1. Mr. A. B. Sirsat h/f. Mr. A. B. Kale, learned counsel for the applicants submits that during the pendency of the civil revision application, applicant no.2 namely Maroti Nagnath Chandrapatle is died on 09.05.2021.He further submits that the present applicant nos.2/1 to 2/4 are the legal representatives of deceased Maroti Chandrapatle. It is also submitted that the right to sue and continue the proceedings in respect of the deceased Maroti Chandrapatle has devolved upon applicant nos. 2/1 to 2/4, as they are his legal representatives. It is further submitted that due to lack of knowledge

regarding the pendency of the proceedings, the application could not be filed earlier, resulting in a delay of 1472 days. It is submitted that the delay was not due to any lethargy, negligence, or deliberate attempt to protract the proceedings. Accordingly, he prays for condonation of delay and permission to amend the title of the civil revision application and any other applications, if necessary.

2. Mr. Kazi, learned counsel for the respondents, points out that there is indeed a delay of 1472 days in filing the civil application. However, in all fairness, he raises no objection to allowing the application. He further submits that he reserves his right to contest the civil revision application on merits.

3. In view of this, I pass the following order :-

ORDER

- a. Civil Application is allowed in terms of prayer clause "B" and "C".
- b. Delay of 1472 days caused, in filing the application is hereby condoned.
- c. Applicants are permitted to amend the title clause thereby incorporating the names of applicant nos.2/1 to 2/4 as legal representatives of deceased applicant no.2-Maroti.
- d. Civil Application is disposed of.

[AJIT B. KADETHANKAR, J.]