



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

**CIVIL APPLICATION NO. 10826 OF 2025
IN FAST/11159/2017**

**KASHINATH TATYA MHASKE (DEAD) THR LRS CHANDRAKANT
AND ORS**

VERSUS

**THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
AND OTHERS**

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Mr. L. C. Patil, Advocate for the Applicants

Mr. N. R. Dayama, AGP for Respondent Nos. 1 and 2

Mr. A. R. Lukhe, Advocate h/f Mr. A. S. Shelke, Advocate for
Respondent No.3.

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CORAM : Y. G. KHOBRAGADE, J.

DATE : 30.09.2025

PER COURT :-

1. Heard learned counsel appearing for the applicants
and the learned counsel appearing for the non-applicants.

2. By the present application, the applicants prayed for
permission to bring the legal heirs of applicant No.1-E on record,
as well as condonation of delay and setting aside abatement.

3. The learned counsel appearing for the non applicants have no objection.

4. Since the cause of action is continue and the appeal is arising out of the judgment and award passed by the Reference Court in Land Acquisition Reference No.126 of 2011, therefore, considering the grounds set out in the application, the present application deserves to be allowed.

5. Accordingly, delay of 2681 days caused in filing the present application is hereby condoned. Abatement is set aside. The legal heirs of applicant No.1-E be brought on record. The necessary amendment be carried out within a period of 14 days from today.

6. Accordingly, the civil application is disposed off.

[Y. G. KHOBRADE, J.]

SMS