



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

29 CIVIL APPLICATION NO. 10981 OF 2025
IN FA/173/2020

BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD., THR ITS AUTHORIZED
SIGNATORY AURANGABAD

VERSUS

KASTURBAI DATTATRAYA KULKARNI AND ORS

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Advocate for Applicant : Mr. Deshmukh Mohit R.
Advocate for Respondent 1A to 1E : Mr. Amol T. Jagtap
Advocate for Respondent no. 4 : Mr. D.R. Bhadekar

CORAM : SHAILESH P BRAHME, J.
DATE : 06.10.2025

PER COURT :

The applicant is seeking condonation of delay of 417 days in setting aside abatement as against deceased respondent no. 1 Kasturbai Dattatraya Kulkarni. Simultaneously, by a conditional order the appeal was dismissed against respondent no. 1 and therefore restoration of appeal is also solicited.

2. Learned counsel Mr. Jagtap submits that he has instructions to appear on behalf of the proposed legal heirs respondent nos. 1A to 1E. The cause of action survives against heirs of respondent no. 1.

3. Learned counsel Mr. Bhadekar appears for respondent no. 4.

4. For the reasons stated in the application, it is desirable to condone the delay and restore the first appeal as against respondent no. 1.

5. The Civil Application is allowed in terms of prayer clause 'B', 'C', 'E', and 'F'. List the first appeal for final disposal in third week of November, 2025.

(SHAILESH P BRAHME, J.)

mkd/-