



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

35 CIVIL APPLICATION NO. 12797 OF 2025
IN FA/3151/2024

MANIK VITTHAL GAIKWAD DED THROUGH LRS 1 PRABHAKAR MANIK
MANIKRAO GAIKWAD

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR

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Advocate for Applicant : Mr. Sachin Bhalerao h/f Mr. Ajeet Babanrao Kale

AGP for Respondent Nos. 1 and 2 : Mr. S.V. Hange

Advocate for Respondent No. 3 : Mrs. Vaishali S. Swami h/f Mr. M. C.
Swami.

CORAM : SHAILESH P. BRAHME, J.

DATE : 26.11.2025

PER COURT :

Delay of 283 days is sought to be condoned for setting aside abatement and bringing legal heirs of sole applicant Manik Vitthal Gaikwad on record.

2. The learned counsel for the respondents opposes the application.
3. There are no *mala fides* on the part of the applicant in causing delay for taking steps against the deceased applicant. The cause of action survives against the legal heirs of deceased applicant Manik.
4. The Civil Application is allowed in terms of prayer clause 'B', 'C' and 'C1'.

(SHAILESH P. BRAHME, J.)

mkd/-