



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

75 FIRST APPEAL NO. 3014 OF 2025

**BIRJABAI HARISHCHANDRA RAJPUT (DIED) THR LRS.
SHOBHA HARISHCHANDRA RAJPUT**

VERSUS

**THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
AURANGABAD AND ANOTHER**

**WITH CIVIL APPLICATION NO. 12441 OF 2025
IN FA/3014/2025**

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Advocate for Appellant : Mr. Sachin Bhalerao h/f Mr. Hajare
Abhishek M.

AGP for Respondent/s-State : Mr. S. V. Hange.

Advocate for Respondent No.2 : Ms. Vaishali S. Swami h/f Mr.
Mahesh C. Swami.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 21.11.2025

PER COURT :-

1. Applicant seeks to condone the delay of 600 days, setting aside abatement and bringing legal heirs of applicant Shobhabai on record.
2. The cause of action survives as against the applicants as they are necessary parties. The delay is not deliberate and intentional.
3. Civil application is allowed in terms of prayer clauses "B", "C" and "C1".

First Appeal

4. **Admit.**

5. Learned AGP waives service of notice for respondent/State. Learned counsel Mr. Swami waives service of notice for respondent No.2.

6. Call for Record and Proceedings from the concerned Court.

7. Print is dispensed with.

(SHAILESH P. BRAHME, J.)

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