



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

**CIVIL APPLICATION NO. 3176 OF 2025
IN
FIRST APPEAL NO. 286 OF 2016**

Nilkanth Bhadrappa
Since deceased through his L.Rs.
Govind (Died) through L.Rs.
Ram Govindrao Wadikar and others .. Applicants

Versus

The State of Maharashtra and another .. Respondents

Shri Sujit R. Varma, Advocate h/f Shri Eknath G. Irale, Advocate
for the Applicants.
Shri K. K. Naik, A.G.P. for the Respondent Nos. 1 and 2.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 21ST MARCH, 2025.**

FINAL ORDER :

. This application is for condonation of delay of 926 days caused in seeking setting aside of abatement and for bringing heirs of deceased applicant No. 1-Govind Nilkanth Wadikar on record.

2. The applicant No. 1 died on 09.09.2021. Heirship certificate issued by the competent authority is placed on record to show that the applicant No. 1-A to 1-C are the heirs, who are entitled to be brought on record. Cause of action survives against them. It is desirable to permit them to contest the

matter.

3. I find that for the reasons stated in para No. 4 of the application, delay needs to be condoned. The civil application is allowed. The delay of 926 days caused in filing application for bringing heirs of deceased applicant No. 1 is condoned. The abatement order passed as against the said applicant is quashed and set aside and his heirs shown in the title cause of the application be brought on record. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/March 25