



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

**CIVIL APPLICATION NO. 907 OF 2025
IN CA/1241/2020 IN WP/1047/2011**

**GOPINATH RAGHU KADAM DIED THROUGH LRS
MARUTI GOPINATH KADAM AND OTHERS**

VERSUS

DNYANOBA GAHININATH TAMBE AND OTHERS

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Shri N.K. Chaudhari, Advocate h/f Shri Gaikwad Siddheshwar M., Advocate for the Applicants.

Shri H.V. Tungar, Advocate for Respondent Nos.1 to 4.

Ms. P.J. Bharad, AGP for Respondent Nos.5 to 7/State.

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CORAM : MANGESH S. PATIL

&

PRAFULLA S. KHUBALKAR, JJ.

DATE : 07th February, 2025

Per Court :-

This is an application seeking setting aside of the abatement by condoning the delay for bringing the legal representatives of petitioner No.1 in the writ petition, namely, applicant Nos.1-A to 1-M in the civil application, on record.

2. Considering the relief being claimed in the writ petition, in spite of the death of the original petitioner No.1 in the writ petition, cause of action would survive to the remaining four petitioners. It would not abate the matter and they can prosecute

the cause.

3. The Civil Application is allowed. The legal representatives of the original petitioner No.1/ applicant No.1 are allowed to be brought on record. Necessary amendment be carried out within two weeks.

kps

(PRAFULLA S. KHUBALKAR, J.) (MANGESH S. PATIL, J.)