



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

**913 CIVIL APPLICATION NO. 2937 OF 2025
IN WP/27/2022**

Kaushalyabai Manikrao Jadhav Died Thr Her Lega Representative
Bharat Manikrao Jadhav

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicant : Mr. Manoj Dharmaraj Shinde

AGP for Respondent/State : Mr. P. S. Patil

Advocate for Respondent No.2 : Navin S. Shah h/f R. H. Dahat

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**CORAM : S. G. MEHARE AND
SANDIPKUMAR C. MORE , JJ.**

DATED : MARCH 13, 2025

ORDER:-

1. Heard the learned counsel for the petitioner.
2. Issue notice to the respondents. Learned AGP waives service of notice for respondent No.1. Learned counsel Mr. Navin S. Shah holding for Mr. R. H. Dahat waives service for respondent No.2.
3. The applicant/petitioner has been died during the period of Covid-19 pandemic on 29.12.2021. The deceased petitioner was an agriculturist claiming the 'Farmers Personal Accident' benefit under the 'Farmers Personal Accident Insurance Scheme" 2005. The delay has been caused, but it appears not deliberate. Large number of petitions were pending before this Court, hence counsel for the petitioner could

not take steps for bringing legal heirs of the petitioner. The proposed legal heirs have the inherent rights in the claim of the deceased petitioner.

4. The learned counsel for respondent No.2 has vehemently opposed the application, contending that the delay is not properly explained. The case is deliberately protracted.

5. We have gone through the papers, and reasons for the delay. We are satisfied with the reasons. To protect the interest of deceased agriculturist, we have to take a liberal view to condone the delay. Hence, the following order

ORDER

- (i) The Civil Application is allowed.
- (ii) The delay caused in bringing legal heirs of deceased petitioner stands condoned.
- (iii) The proposed legal heirs of the deceased petitioner be brought on record by carrying out necessary amendment within two weeks from today.

(SANDIPKUMAR C. MORE)
JUDGE

(S. G. MEHARE)
JUDGE