



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

**X-OBJECTION NO. 163 OF 2025 IN FA/2078/2012
WITH
X-OBJECTION NO. 164 OF 2025 IN FA/2083/2012
WITH
FIRST APPEAL NO. 2083 OF 2012
WITH
FIRST APPEAL NO. 2079 OF 2012
WITH
CIVIL APPLICATION NO. 14168 OF 2025 IN FA/2078/2012**

Janglu Tukaram Mahar @ Nagrale (since Died) Through Lrs Jijabai
And Ors.

VERSUS

The Executive Engineer, Minor Irrigation Division Sinchan Bhavan
Dhule.

...

Mr. D. A. Naik, Advocate for Applicants

Mr. N. D. Raje, AGP for Respondent-State

Mr. D. B. Rasve h/f A. D. Pawar, Advocate for Respondent no.1

CORAM : SANJAY A. DESHMUKH, J.

DATED : 24th DECEMBER, 2025

PER COURT :-

1. This is an application seeking permission to condone the delay of 1289 days caused filing the present Civil Application.
2. Perused the application. Heard learned Advocates for both the sides.
3. Learned Advocate for the respondent strongly objected the application and submitted that the sufficient reasons for condonation of delay under Section 5 of the Limitation Act are not given. It is lastly prayed to reject the application.

4. Upon perusal of the application, it appears that the delay is not deliberately caused. Considering all these aspects, the application deserves to be allowed in the interest of justice. Hence, the following order:

ORDER

- a. Civil Application is allowed.
- b. Delay of 1289 days caused in filing the present application is hereby condoned.
- c. Abatement is set aside. Appellants are permitted to amend the appeal memo of First Appeal No.2078 of 2012 by bringing the legal representatives of deceased claimant Janglu Tukaram Mahar @ Nagrale on record.
- d. Cross Objector is also permitted to amend the Cross Objection by bringing the legal representatives of deceased claimant Janglu Tukaram Mahar @ Nagrale on record.
- e. Amendment be carried within two weeks.

(SANJAY A. DESHMUKH, J.)