



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

931 FIRST APPEAL NO. 661 OF 2004

Shaikh Badruddin Shaikh Chand

VERSUS

The State Of Maharashtra

...

Mr. Ram S. Malani h/for Mr. Anil S Bajaj, Advocate for Appellant
MR. D. J. Patil, AGP for Respondent/State

WITH

**CIVIL APPLICATION NO. 13814 OF 2025
IN FA/661/2004**

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 16.12.2025

PER COURT :-

**CIVIL APPLICATION NO. 13814 OF 2025
IN FA/661/2004**

1. Heard.
2. This is the application for condonation of 3077 days delay caused in filing the Civil Application for bringing the legal representatives of deceased appellant Shaikh Badruddin Shaikh Chand on record as well as for setting aside abatement.
3. Learned AGP for the respondent / State strongly opposed the application.
4. Perused the application. Considering the reasons stated therein, it appears that the delay is not deliberately caused. Hence, the

application deserves to be allowed in the interest of justice. Hence, the following order:

::ORDER::

- a. The application is allowed by setting aside the abatement.
- b. The delay of 3077 caused in filing the Civil Application for bringing the legal representatives of deceased appellant on record is condoned.
- c. The applicant is directed to amend the appeal memo by bringing the legal representatives of the deceased appellant on record on or before 19.12.2025.
- d. It is clarified that the appellants/ claimants are not entitled for the interest and other statutory benefits for the delayed period.
- e. The Civil Application is disposed of.

. List the First appeal for final hearing on 23.12.2025, high on board.

[SANJAY A. DESHMUKH, J.]

HRJadhav