



(1)

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

**906 CIVIL APPLICATION NO. 2958 OF 2025
IN/WITH
WRIT PETITION NO.9785/2014**

**SHRI MURLIDHAR MANDIR DEVASTHAN TRUST PUNDI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

....

Mr Ram. B. Deshpande, Advocate for applicant
Ms R. R. Tandale, A.G.P. for respondent Nos.1 to 3
Mr K. D. Jadhav, Advocate h/f Mr V. D. Salunke, Advocate for
respondent Nos.4-A and 4-B and 6 to 14
Mr S. S. Tambe, Advocate h/f Mr S. S. Jadhavar, Advocate for
respondent Nos.5 & 6

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 24th June, 2025

PER COURT:

1. This is an application for bringing on record the legal representatives of deceased respondent No.4/Shaiikh Yakub Shaiikh Mehboob by condoning delay of 2107 days caused in filing present application.

2. In response to the notices on the civil application, Advocate Mr V. D. Salunke appears for the proposed legal representatives of deceased respondent No.4, who are added as respondent Nos.4-A and 4-B to the civil application.

(2)

3. Heard Advocate Mr Ram Deshpande, learned counsel for the applicant. He submits that the writ petition was listed for final disposal at the stage of admission on 05/02/2025, and it was adjourned to 20/02/2025. He further submits that, on 20/02/2025, Advocate appearing for respondent Nos.4 to 14 informed that respondent Nos.4 and 5 have expired during the pendency of the petition and the matter was adjourned for taking necessary steps against deceased respondent Nos.4 and 5. He then submits that the applicant/petitioner was not at all aware about death of respondent Nos.4 and 5. Only after getting the knowledge, he filed the present application. He, therefore, submits that the delay occurred is because the petitioner was unaware of the death of respondent Nos.4 and 5 and the same is unintentional.

4. Considering the reasons mentioned in the civil application at paragraph Nos.3 and 4 and the submissions advanced, I am of the view that delay of 2107 days needs to be condoned, particularly when the petitioner was not at all aware of the death of respondent Nos.4 and 5.

5. Advocate Mr Salunke, learned counsel for proposed legal representatives of deceased respondent Nos.4 has no serious objection for bringing on record legal representatives of deceased respondent No.4.

(3)

6. In view of the above, this civil application is allowed and disposed of, by condoning the delay of 2107 days. The names of legal representatives of deceased respondent No.4/Shaikh Yakub Shaikh Mehboob be brought on record by carrying out necessary amendment within a period of two weeks from today.

(PRAFULLA S. KHUBALKAR, J.)

sjk