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

**906-2 CIVIL APPLICATION NO. 2959 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 in WP

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.5/Shaiikh Burhan Shaiikh Mehboob by condoning delay of 120 days caused in filing present application.

2. Heard Advocate Mr Ram Deshpande, learned counsel for the applicant. He submits that this 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

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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 steps against deceased respondent Nos.4 and 5. He then submits that the 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.

3. Respondent Nos.5-A to 5-D, who are the proposed legal representatives of deceased respondent No.5 are served, however, nobody appears on their behalf.

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 120 days needs to be condoned, particularly when the petitioner was not at all aware of the death of respondent Nos.4 and 5.

5. In view of the above, this civil application is allowed and disposed of by condoning delay of 120 days. The names of legal representatives of deceased respondent No.5 be brought on record by

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carrying out necessary amendment within a period of two weeks from today.

6. The writ petition be listed for further consideration on 01/08/2025.

(PRAFULLA S. KHUBALKAR, J.)

sjk