

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 726 OF 2025
IN
FIRST APPEAL (St.) NO. 35700 OF 2024

Ramanlal Devchand Shah
(since deceased, through LRs)

...Appellants.

Versus

The Collector, Satara and Others

...Respondents.

Mr. Swaroop M. Karade for Appellant.
Mr. Utkarsh Desai for Respondent.
Mr. A. R. Patil, AGP for Respondent No. 1.

Coram : Sharmila U. Deshmukh, J.

Date : 28th April, 2025.

P. C. :

1. Interim Application has been preferred seeking condonation of delay of 935 days caused in preferring the Application for bringing the legal heirs of sole Claimants on record.
2. Learned counsel appearing for the Applicant submits that the sole Claimant had expired and as Respondent Nos. 3 to 5 who are also the legal heirs of sole Claimants were not available for the purpose of filing of the Application, they were impleaded as Respondents.
3. Advocate Utkarsh Desai appears for Respondent Nos. 3 to 5 and does not oppose the Application.

4. Learned AGP appears for Respondent Nos. 1 and 2 and does not seriously oppose the Application.
5. The Application pleads that the sole Claimant expired on 28th January, 2022 and due to the second phase of lockdown, necessary steps could not be taken for the purpose of bringing the legal heirs on record. Though the Interim Application has been preferred for bringing on record the legal heirs of the deceased-Claimant, the same is a formal Application as the Claimant had expired after the judgment and Award was passed and Appeal, in fact, has been filed by the legal heirs.
6. As the Interim Application as well as the Appeal has been filed by the legal heirs, there is no requirement of amending the Application or the First Appeal.
7. For the reasons stated, Interim Application is formally allowed and delay of 935 days stands condoned.
8. Interim Application is allowed.
9. List on **7th July, 2025.**

[Sharmila U. Deshmukh, J.]