

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

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**INTERIM APPLICATION NO.12265 OF 2025
IN
FIRST APPEAL NO.948 OF 2025**

Mr. Venkatesh G. Devendra ... Appellant/Applicant

Vs.

Union of India Through The
General Manager ... Respondents

Mr. Sainand V. Chaugule for Appellant.

Ms. Revaa Kadam i/b Mr. Niranjan P. Shimpi for Respondent

CORAM : M. M. SATHAYE, J.

DATED : 17th DECEMBER 2025

P.C.:

1. Heard learned Counsel for the parties.
2. This is an application filed by Appellant No.2 for setting aside abatement of the appeal against Appellant No.1 and to substitute Appellant No.2 as the only continuing Appellant.
3. Appellant No.1 (mother of deceased) expired on 02/07/2021, during pendency of the Appeal. It appears that the appeal was filed in the year 2015 challenging impugned order of October 2014 and the same is numbered late. Appellant No.2 is the brother of the deceased. It is informed that father of the deceased expired during pendency of the proceeding before the Tribunal.
4. Appellant No.2 has stated in paragraph No.4 that he is only surviving legal heir of the deceased Appellant No.1 (mother). Statement accepted.

5. Learned Advocate for the Respondent/Railway opposed this application. No reply is filed.
6. Considering that Appellant No.2 is already on record, the application is allowed. Technical delay, if any, is condoned. The abatement of First Appeal against Appellant No.1 is set aside. Necessary amendment to be carried out before 16/01/2026.
7. Application is disposed of in above terms.

(M. M. SATHAYE, J.)