



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 1431 OF 2025
AND
CIVIL APPLICATION (CAF) NO. 1432 OF 2025
AND
CIVIL APPLICATION (CAF) NO. 410 OF 2022
IN
FIRST APPEAL NO. 1205 OF 2018

Mohan Motiram Zade (Dead)

Vs.

State of Maharashtra, Thru. Collector, Yavatmal and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Gaurav Gadge, Advocate h/f Mr. P.S. Kshirsagar,
Advocate for applicant.
Mrs. Mrunal Naik, AGP for non-applicant Nos.1 &
2/State.
Mr. J.B. Kasat, Advocate for non-applicant No.3.

CORAM : SHYAM C. CHANDAK, J.

DATE : 23.06.2025.

Heard.

2. Present application seeking condonation of 485 days delay in filing the application to bring on record the legal heirs of the deceased appellant and setting aside the abatement of the aforesaid First Appeal No.1205/2018.

3. The original appellant has expired on 31.08.2023, leaving behind the applicants as his legal heirs. Mr. Gadge, the learned Advocate for the applicants submits that, the applicants were not aware about the pendency of the said appeal. But, when they came to know about the appeal, they approached their Advocate and filed the present application. The appeal was admitted. The applicants have not taken any advantage on account of the delay. The impleadment of the applicants is necessary for just decision in the appeal. Mr. Gadge submit that the applicants have good case on merit.

4. The learned counsel for the respondents have no serious objection to condone the delay.

5. In view thereof, the application is allowed.

6. The delay of 485 days in filing the application to bring the legal representatives of the deceased appellant and setting aside the abatement, is condoned.

Civil Application (CAF) No.1432/2025

Heard.

2. The Civil Application (CAF) No.1431/2025 seeking condonation of 485 days delay in filing the application to bring on record the legal heirs of the deceased and setting aside the abatement of the appeal, is allowed. Hence and considering the submissions made by Mr. Gadge, the present application is allowed.

3. The legal heirs of the deceased appellant to be brought on record within two weeks from uploading this order on the official website of this Court.

4. The civil application is disposed of.

First Appeal No.1205/2018

Mr. Kasat, learned counsel for respondent No.3 seeks time to file reply to the aforesaid Civil Application (CAF) No.410/2022.

2. Time is granted.

(SHYAM C. CHANDAK, J.)