



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

CIVIL APPLICATION (W) NO.1697 OF 2024
IN
WRIT PETITION NO.7555 OF 2023

(Sau. Malutai w/o Ramesh Jivtode Vs. The Additional Commissioner, Amravati and others)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. S. A. Kalbande , Advocate for Petitioner.
Mr. A. G. Mate, AGP for Respondent Nos.1 to 4/State.
Mr. S. S. Bhalerao, Advocate for Respondent Nos.6 & 7.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATE: 6th AUGUST, 2025.

CIVIL APPLICATION (W) NO.1697 OF 2024:

1. This is an application for condonation of delay in filing application for bringing on record legal representatives of deceased respondent No.8 and for setting aside abatement.

2. Heard Advocate Mr. Kalbande, learned counsel for the petitioner. It is submitted that during the pendency of the petition respondent No.8 has expired and since the cause of action survives, the legal representatives of respondent No.8 need to be brought on record. It is submitted that there is delay of 125 days for the reason that the petitioner was not aware of the death of respondent No.8. Having regard to the contents of the civil application and submissions advanced, the delay of 125 days in filing

the application is condoned. The abatement against respondent No.8 is set aside.

3. The civil application is allowed and disposed of.

CIVIL APPLICATION (W) NO.1696 OF 2024:

1. This is an application for bringing on record legal representatives of deceased respondent No.8. Having regard to the contents of the application and submissions advanced, the civil application is allowed. The legal representatives of respondent No.8 be brought on record by carrying out amendment within two weeks from today.

2. The civil application is allowed and disposed of.

(PRAFULLA S. KHUBALKAR, J.)