



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

CIVIL APPLICATION (CAF) NO. 1672 OF 2024
IN
FIRST APPEAL NO. 899 OF 2016

Balu s/o Balasaheb s/o Annaji Gole

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. Abhay V. Bhide, Advocate for applicant.

Mrs. Mrunal Naik, AGP for respondent Nos.1 & 2/State.

CORAM : SHYAM C. CHANDAK, J.

DATE : 23.06.2025.

Heard.

2. Present application seeking condonation of 992 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.899/2016.

3. The sole appellant namely Balu s/o Balasaheb s/o Annaji Gole has expired on 06.02.2022, during the pendency of the said appeal,

leaving behind the applicants as his legal heirs. The death certificate is enclosed with the application.

4. The learned counsel for the applicant submits that when the aforesaid appeal listed for final hearing, he contacted the applicants. At that time he was informed that the original appellant has expired. He submits that the applicants are not aware of the legal proceedings.

5. In view thereof and considering the other reasons stated in the application, the application is allowed.

6. The delay of 992 days in filing the application to bring on record the legal heirs of deceased/appellant and setting aside the abatement of First Appeal No.899/2016, is condoned.

7. The civil application is disposed of, accordingly.

Civil Application (CAF) No.1673/2024

Heard.

2. The Civil Application (CAF) No.1672/2024 seeking condonation of 992 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.899/2016, is allowed. Therefore, and considering that the LR's required to be impleaded, the application stands allowed.

3. The Legal representatives to be brought on record within a period of two weeks.

4. The civil application stands disposed of accordingly.

(SHYAM C. CHANDAK, J.)