IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

968 CIVIL APPLICATION NO. 2432 OF 2026
IN CA/9336/2025

Rekha Kalyan Shelke
VERSUS
Sanjay Annasaheb Patil L.rs. Savita Sanjay Patil And Others
...
Mr. Adwait M. Joshi h/f Mr. Milind Joshi, Advocate for Applicant
Mr. Amol Lipne, Advocate for Respondents

WITH

CIVIL APPLICATION NO. 9336 OF 2025 IN SAST/22085/2025
....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 13.10.2026

P.C. :-

CIVIL APPLICATION NO. 2432 OF 2026

1. Learned Advocate Mr. Amol Lipne submits that he has instructions to appear on behalf of the Respondents.

2. Heard learned Advocates for both sides.

3. This is an application for condonation of 594 days delay caused in filing the Civil Application for bringing the legal representatives of deceased sole Respondent on record as well as for setting aside abatement and permission to bring the L.Rs. of deceased Respondent on record.

4. Learned Advocate for the respondents strongly opposed the application.

5. Perused the application. Considering the reasons stated therein and the fact that the Applicant seeks to bring the legal representatives of the deceased Respondent on record so as to enable this Court to decide the lis finally on merits, the delay deserves to be condoned as it is not deliberately caused. In view of the facts and circumstances of the present case, the application deserves to be allowed in the interest of justice. Hence, the following order:

::ORDER::

a. The application is allowed.

b. The delay of 594 days caused in filing the Civil Application for bringing the legal representatives of Respondent on record is condoned.

c. The abatement is set aside.

d. Permission to bring the legal representatives of of deceased Respondent on record is granted. The amendment be carried out within a period of three weeks from today. If the amendment is not carried out within the stipulated period, the applicant shall be liable to pay costs of Rs.2,000/- to the Advocates' Chambers Allottees Maintenance Co-operative Society, High Court Premises, Chhatrapati Sambhajinagar.

CIVIL APPLICATION NO. 9336 OF 2025

1. Learned Advocate Mr. Amol Lipne submits that he has instructions to appear on behalf of the Respondents.

2. Learned Advocate for the Applicant is directed to supply copies of the Appeal Memo and other relevant documents to learned Advocate for the Respondents.

3. Learned Advocate for the Applicant submits that a possession warrant was issued on 05.10.2026 and that it may be executed at any time.

4. Learned Advocate for the Respondents makes a statement that the possession warrant shall not be executed till the next date. Stand over to 22.10.2026.

[SANJAY A. DESHMUKH, J.]

HRJadhav