



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 9505 OF 2026
IN FA/821/2026**

KAILASH PARMESHWAR TARATE

VERSUS

**THE UNION OF INDIA, THROUGH THE GENERAL MANAGER,
CENTRAL RAILWAY,**

...

Advocate for Applicant : Mr. Shinde Chandrakant Kondiram

AGP for Respondent No. 3 : Ms. Vaishali Chaudhari

...

CORAM : MANJUSHA DESHPANDE, J.

DATE : 28th AUGUST, 2026

PER COURT :

1. The Application is filed for bringing LR's of Applicant no. 1 in the Application, who is Respondent no. 1 and Claimant in the First Appeal filed by the Union of India.

2. It is submitted that Respondent no. 1 has expired during the pendency of Appeal itself. However, the necessary amendment was not carried out by the Appellant Union of India. As a result of which, while deciding the First Appeal the names of legal heirs of Applicant no. 1 remained to be taken in the Appeal and the Appeal has been dismissed by this Court vide order dated 18.04.2026.

3. As a result of dismissal of the Appeal, the original claimants

are entitled for withdrawal of amount deposited by the acquiring body. Since the legal heirs of Applicant no. 1 were not brought on record, the legal heirs are facing difficulty in withdrawing the amount which is deposited by the acquiring body. There is a delay of 264 days in filing this Application.

4. For the reasons stated in the Application, the delay is condoned.

5. In view of the averments made in the Application, Civil application is allowed in terms of prayer clause 'A-1', 'B' and 'B-1'.

6. The Applicants are permitted to carry out the necessary amendment in the Appeal within a period of two weeks.

7. Civil Application stands disposed of.

(MANJUSHA DESHPANDE, J.)