



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

**CIVIL APPLICATION NO. 669 OF 2026
IN
FIRST APPEAL STAMP NO. 12615 OF 2025**

Subabai Bhagwan Kale
Since deceased through her L.Rs.
Rama Bhagwan Kale .. Applicant

Versus

The Executive Engineer, Minor
Irrigation Division and others .. Respondents

Shri Dinesh D. Daund, Advocate h/f Shri Manoj D. Shinde,
Advocate for the Applicant.
Ms. Vaishali S. Swami, Advocate h/f Shri Mahesh C. Swami,
Advocate for the Respondent No. 1.
Shri S. V. Hange, A.G.P. for the Respondent Nos. 2 and 3.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 20TH JANUARY, 2026.**

FINAL ORDER :

. Applicants seek condonation of delay caused in preferring application for setting aside abatement and bringing legal heirs of deceased claimant – Subabai Kale on record.

2. The cause of action survives against the legal heir. He is necessary party. Acquiring body should have taken steps for bringing legal heirs on record. It is desirable to condone the delay. The civil application stands allowed in terms of prayer clauses B and C. The civil application is disposed of.

3. Amendment shall be carried out within a period of two (02) weeks from today.

[SHAILESH P. BRAHME J.]

bsb/Jan. 26