



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

68 CIVIL APPLICATION NO. 1051 OF 2026
IN FAST/35166/2021

MAINAJI BABU GELE (DIED) THROUGH LRS BHAMABAI AND OTHERS
VERSUS
THE UNION OF INDIA, THR THE GENERAL MANAGER, CENTRAL RAILWAY,
MUMBAI AND ORS
WITH
CIVIL APPLICATION NO. 4267 OF 2022
IN FAST/35166/2021

THE UNION OF INDIA, THR THE GENERAL MANAGER, CENTRAL RAILWAY,
MUMBAI AND ORS
VERSUS
MAINAJI BABU GELE

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Mr. Bide Dnyaneshwar A., Advocate for Applicants

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CORAM : SHAILESH P. BRAHME, J.

DATE : 28.01.2026

PER COURT :-

. Applicants seek to condone the delay of 627 days in setting aside abatement and in bringing legal heirs of deceased applicant – Mainaji Babu Gele on record. The cause of action survives as against the legal heirs. The acquiring body should have filed such application.

2. There is no reason to infer any malafides on the part of the applicants.

3. The delay stands condoned, abatement is set aside. Leave is granted to bring the legal heirs of deceased applicant - Mainaji Babu Gele on record. Parties shall be at liberty to carry out amendment.

FIRST APPEAL STAMP NO.

4. As this Court has granted prayer in Civil Application No.1051 of 2026, the disbursement of the amount in pursuance of the order dated 03.05.2023 shall be made as per the amended title clause of the application.

(SHAILESH P. BRAHME, J.)

PRW