



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 1745 OF 2015

WITH

CIVIL APPLICATION NO. 7200 OF 2019 IN FA/1745/2015

Mohan Shankar Naiknaware (died) Thr Lrs Padmasinh And Ors

VERSUS

The Ex. Engineer, Osmanabad Minor Irrigation Div And Ors

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Mr. B. R. Jaybhay, Advocate for Applicants

Mr. S. B. Jadhav, AGP for Respondent-State

WITH

CIVIL APPLICATION NO. 2957 OF 2025 IN FA/1745/2015

WITH

FIRST APPEAL NO. 4293 OF 2016

CORAM : SANJAY A. DESHMUKH, J.

DATED : 23RD FEBRUARY, 2026

PER COURT :-

CIVIL APPLICATION NO. 2957 OF 2025

1. This is an application for condonation of delay of 194 days caused in filing the application to set aside the abatement.
2. Perused the application. Heard learned Advocates for both the sides.
3. Considering the reasons stated in the application, it appears that the delay is not deliberately caused and deserves to be condoned in the interest of justice. Hence, the following order:

ORDER

- a. Civil Application is allowed.
- b. Delay of 194 days caused in filing the application to set aside the abatement is condoned.
- c. Abatement is set aside.
- d. Amendment be carried out within a week. If the amendment is not carried out within the stipulated period, the applicant shall pay costs of Rs.2000/- in this Court.
- e. Civil Application is disposed of.

CIVIL APPLICATION NO. 7200 OF 2019

1. This is an application for condonation of delay of 253 days caused in filing the application for bringing the legal representatives of deceased applicant Mohan Shankar Naiknaware on record.
2. Perused the application. Heard learned Advocates for both the sides.
3. Considering the reasons stated in the application, it appears that the delay is not deliberately caused and deserves to be condoned in the interest of justice. Hence, the following order:

ORDER

- a. Civil Application is allowed.
- b. Delay of 253 days caused in filing the present application is condoned.
- c. Applicants are permitted to bring the legal representatives of deceased applicant Mohan Shankar Naiknaware on record.
- d. Amendment be carried out within a week. If the amendment is not carried out within the stipulated period, the applicants shall pay costs of Rs.2000/- in this Court.
- e. Civil Application is disposed of.

FIRST APPEALS

1. First Appeals be tagged with First Appeal No.470 of 2010.
2. Stand over to 16.03.2026.

(SANJAY A. DESHMUKH, J.)