



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

**934 CIVIL APPLICATION NO. 4423 OF 2025
IN FA/1942/2024**

Radhesham Jagnath Mittal

VERSUS

Anna Baburao Jadhav (died) Thr. Ganadhar Anna Jadhav And Ors

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**Mr. R. F. Totala i/by Mr. Lohiya Swapnil Vijendrakumar, Advocate
for Applicant**

Mr. A S Usmanpurkar, Advocate for Respondent No.2

CORAM : SANJAY A. DESHMUKH, J.

DATE : 17.01.2026

PER COURT :-

1. Heard.
2. This is an application for condonation of 2254 days delay caused in filing the Civil Application for bringing the legal representatives of deceased respondent (Anna Baburao Jadhav) on record as well as for setting aside abatement.
3. Learned Advocate for the respondent No.2 strongly opposed the application.
4. Perused the application. Considering the reasons stated therein, it appears that the delay is not deliberately caused. Hence, the application deserves to be allowed in the interest of justice. Hence, the following order:

::ORDER::

- a. The application is allowed by setting aside the abatement.
- b. The delay of 2254 caused in filing the Civil Application for bringing the legal representatives of deceased respondent (Anna Baburao Jadhav) on record is condoned.
- c. The applicant is directed to amend the appeal memo by bringing the legal representatives of the deceased respondent (Anna Baburao Jadhav) on record within one week.
- d. The Civil Application is disposed of.

IN FIRST APPEAL NO.1942 OF 2024

1. After the amendment is carried out, issue notice to the legal heirs of respondent (Anna Baburao Jadhav), returnable on 18.02.2026.
2. Call Record and Proceedings.

[SANJAY A. DESHMUKH, J.]