



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

**29 CIVIL APPLICATION NO. 4645 OF 2026
IN FAST/22247/2014**

Baburao Madhav Vane Died Thr Lrs Rakhmabai Kanhu Amale And
Ors

VERSUS

The State Of Maharashtra Through The Collector Ahilyanagar

...

Mr. Jayabhar Dattatraya R., Advocate for Applicant

Ms. Anuradha S. Mantri, AGP for Respondents/State

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 20.04.2026

PER COURT :-

1. Leave to amend.
2. This is an application seeking permission to implead applicant Nos.1A to 1F and 2A to 2D as the legal representatives of the deceased original claimants Baburao Madhav Vane and Muktaji Madhav Vane, for further adjudication of the matter on merits.
3. Heard learned advocate for the applicants and the learned AGP for the Respondents/State.
4. Learned AGP for respondent/State strongly opposed the application and submitted that such an application is not

maintainable. She submitted that unless and until the abatement is set aside by condoning the delay, the present application cannot be considered or allowed. It is lastly prayed to reject the application.

5. On perusal of the application, it appears that both the original claimants have expired and their legal representatives were not brought on record within time. Consequently, the proceedings in respect of claimant Nos. 1 and 2 have abated. However, considering the fact that the legal representatives should not be deprived of establishing and enforcing their rights for no fault on their part, this Court is of the view that the application deserves to be allowed in the interest of justice. Hence, the following order:

::ORDER::

- a. The application is partly allowed.
- b. The applicants are directed to carry out the necessary amendment within a period of two weeks from today. In case the amendment is not carried out within the stipulated period, the application shall stand rejected without further reference to the Court.

[SANJAY A. DESHMUKH, J.]