



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

39 CIVIL APPLICATION NO. 11428 OF 2025
IN FA/3164/2024

GULABRAO @ UDHAVRAO VITHALRAO KOKATE
VERSUS
BHIVA RAOSAHEB CHORMALE AND OTHERS

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Advocate for Applicant : Mr. Vivekanand B. Deshmukh.

Advocate for Respondent No.2 : Mr. V. A. Patil, h/f Mr. N. B. Kolpe.

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CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 06th April, 2026.

P.C.:

1 This application is filed for condonation of delay, setting aside abatement and permission to bring the legal representatives of deceased respondent No.2 – Vishnu Kalyan Akhade on record.

2 Perused the application. Heard both the sides. There is delay of 1143 days caused in filing this application.

3 For the reasons stated in the application, it appears that the appellant/applicant had no knowledge of the death of respondent No.2 – Vishnu Akhade. Therefore, the application deserves to be allowed, as the delay is not caused deliberately and intentionally. Hence, the delay is condoned. Abatement, if any, is set aside. Permission is granted to bring the legal representatives of deceased respondent

No.2 – Vishnu Kalyan Akhade on record. Necessary amendment be carried out, within a period of two weeks from today. The civil application stands disposed of.

4 It is clarified that if the amendment is not carried out within two weeks from today, then the appellant/applicant will require to deposit costs of Rs.2000/- with the High Court Legal Services Sub-Committee, Aurangabad.

5 List the appeal on board on 30th April, 2026.

[SANJAY A. DESHMUKH, J.]

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