



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

24 CIVIL APPLICATION NO. 12729 OF 2025
IN FAST/35226/2019

MADHUKAR SHRIPAT GADHAVE DIED THR LRS BEBABAI
AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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Advocate for Applicants : Mr. Rodge S. N.
AGP for Respondent/s-State : Mr. N. D. Raje.
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CORAM : SHAILESH P. BRAHME, J.
DATE : 13.01.2026

PER COURT :-

1. Heard both sides.
2. Applicants seek to condone delay of 1228 days in setting aside abatement and bringing legal heirs of sole claimant Madhukar Shripat Gadhve on record.
3. The cause of action survives as against the legal heirs. They are necessary parties. The delay is unintentional. The delay stands condoned, abatement is set aside and leave is granted to bring legal heirs of deceased claimant on record.
4. Civil application is allowed.
5. Both parties shall be at liberty to carry out necessary amendment.

First Appeal

6. **Admit.**

7. Learned AGP waives service of notice for respondent No.1/State.

8. Call for Record and Proceedings from the concerned Court.

9. Print is dispensed with.

(SHAILESH P. BRAHME, J.)

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