



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

35 CIVIL APPLICATION NO. 13237 OF 2025
IN FA/51/2022
WITH CIVIL APPLICATION NO. 12079 OF 2025
IN FA/51/2022

CHOLAMANDALAM M.S. GENERAL INSURANCE CO. LTD.,
THR ITS AUTHORIZED SIGNATORY, AURANGABAD
VERSUS
SAHEBRAO S/O DATTATRAO KADAM (DIED) THR
LRS. KUSUMBAI SAHEBRAO KADAM AND ORS

.....
Advocate for Applicant : Mr. Usmanpurkar Aniruddha S.
Advocate for Respondents : Mr. V. V. Patnoorkar
.....

CORAM : Y.G. KHOBRAGADE, J.
DATE : 12.01.2026

PC.:-

1. Heard advocate Mr. Usmanpurkar and Mr. Patnoorkar the learned counsel appearing for the respective sides at length.
2. By the present application, the applicant/insurance company prayed for condonation of delay of 973 days caused while bringing the legal heirs of respondent no.1 on record and setting aside abatement order. The learned counsel appearing for the non-applicant/legal heirs of claimant have no objection since the cause of action survives. Therefore, the appellant/insurance company is permitted to bring the legal heirs of deceased/respondent no.1 on record. Accordingly, for the reasons set out in

the application, the delay of 973 days caused while bringing the legal heirs of respondent no.1 on record is hereby condoned and abatement is quashed and set aside. Necessary amendment be carried out within a period of two weeks from today.

3. Civil Application No.13237/2025 is accordingly disposed of.

[Y.G. KHOBRADE, J.]