



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

43 CIVIL APPLICATION NO. 1012 OF 2026
IN FA/1629/2022

KAMALKISHOR DWARKADAS RATHI SINCE DECEASED THR LEGAL REPR.
SUNITA AND ORS.

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR JALNA AND ORS.

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Mr. V. D. Bhise h/f. Mr. A. H. Koralkar, Advocate for Applicants

Mr. N. D. Raje, AGP for Respondent-s/State

Mr. S. G. Sangle, Advocate for Respondent No.3

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CORAM : SHAILESH P. BRAHME, J.

DATE : 28.01.2026

PER COURT :-

- . Leave to correct prayer clause (7-I).
2. Amendment shall be carried out forthwith.
3. Applicants seek to condone the delay of 70 days in setting aside abatement and in bringing legal heirs of deceased applicant no.1 – Kamalkishor s/o Dwarkadas Rahti on record. The cause of action survives as against the legal heirs. They are necessary parties. The delay is unintentional.
4. The delay stands condoned, abatement is set aside. Leave is granted to bring the legal heirs of deceased applicant no.1 - Kamalkishor s/o Dwarkadas Rahti on record.

(SHAILESH P. BRAHME, J.)