



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

918 CIVIL APPLICATION NO. 1996 OF 2026
IN FA/1753/2012

BALAJI S/O. VITHU KHARMALE DIED THROUGH HIS LEGAL REPR
NAMDEO AND ORS.

VERSUS

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIV. -1
AHMEDNAGAR AND ANR.

...

Advocate for Applicant : Mr. Mahesh Ramnath Sonawane.

Advocate for Respondent No.1 : Mr. Gulab Rajale.

AGP for Respondent No.2 / State : Mr. S. G. Joshi.

...

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

DATE : 05th March, 2026.

P.C.:

1 This is an application is for condonation of delay, setting aside abatement and permission to bring the legal representatives of deceased claimant Shakuntala Vithal Jadhav on record.

2 Perused the application. There is delay of 1335 days caused in filing this application.

3 In fact, the appellant / acquiring body could have filed such an application, however, the learned counsel for the claimants have filed this application.

4 For the reasons stated in the application and considering the arguments of both the sides, the application deserves to be allowed as

the delay is not caused deliberately and intentionally. Hence, the delay is condoned. Abatement is set aside. Permission is granted to bring the legal representatives of deceased claimant Shakuntala Vithal Jadhav on record. Necessary amendment be carried out in the first appeal, within a period of two weeks from today. The civil application is allowed in terms of prayer clauses (B) to (D).

5 It is clarified and directed to the Registry that as per amendment, the amount of compensation be disbursed to the legal representatives of the claimants and for that no further order is required.

6 It is further clarified, with regard to the Nazar Department, that it is not necessary to bring the legal representatives of the claimants on record in Civil Application No.14867 of 2022, for the purpose of disbursement of the amount.

7 The learned counsel for the claimants is directed to provide a copy of this order to the Registry.

8 The concerned to act upon an authenticated copy of this order.

[SANJAY A. DESHMUKH, J.]

nga