



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

93 CRA NO. 84 OF 2018
WITH
CIVIL APPLICATION NO.2003 OF 2026
IN CRA/84/2018

ROBERT BOLHAJI GHODAKE DIED THROUGH LRS ARUNA W/O ROBERT
GHODAKE AND OTHERS

VERSUS

JIVAN BHAURAO KAMBLE AND OTHERS

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Mr. Kagne Vinayak M., Advocate for the Applicants

Mr. V. S. Bedre, Advocate for Respondent Nos.1 and 3

...

CORAM : SHAILESH P. BRAHME, J.

DATE : 20.02.2026

PER COURT :-

CIVIL APPLICATION FOR DELAY

. Heard both sides.

2. The applicants seek to condone delay of 2219 days in setting aside abatement and in bringing legal heirs of sole applicant – Robert Bolhaji Ghodake on record.

3. Mr. V. S. Bedre, learned counsel for respondent nos.1 and 3 submits that the delay is inordinate and no rent was paid by the deceased applicant during his lifetime, nor thereafter by his legal heirs.

4. I propose to adopt a pragmatic approach in condoning the delay. The cause of action survives as against the legal heirs of the applicant. It is a fit case to impose conditions.

5. The delay stands condoned on condition that the applicants pay the respondents costs of Rs.5,000/- within a period of four (4) weeks from today. Abatement is set aside. Leave is granted to bring the legal heirs of the sole applicant on record.

6. Both parties shall be at liberty to carry out amendment.

CIVIL REVISION APPLICATION

7. Time is granted to take necessary steps against the deceased respondent no.1.

(SHAILESH P. BRAHME, J.)