



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

904 FIRST APPEAL NO. 839 OF 2003

Bapurao Ramchandra Joshi

VERSUS

The State Of Maharashtra And Anr.

...

Mr. V. D. Sonwane, Advocate for Appellant

Ms. Anuradha S. Mantri, AGP for Respondents/State

...

WITH

CIVIL APPLICATION NO. 2671 OF 2026

IN FA/839/2003

Smt. Prajakta W/o. Pradeep Joshi And Anr.

VERSUS

The State Of Maharashtra Through Collector Aurangabad And Anr.

...

Mr. V. D. Sonawane, Ms. Ms. S. M. Kavale h/for Mr. A. V. Sonawane

Ms. Anuradha S. Mantri, AGP for Respondents/State

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 07.03.2026

PER COURT :-

CIVIL APPLICATION NO. 2671 OF 2026

IN FA/839/2003

1. Heard.

2. This is the application for condonation of 1377 days delay caused in filing the Civil Application for bringing the legal representatives of deceased appellant No.2 - Pradeep S/o Bapurao Joshi on record as well as for setting aside abatement.

3. Learned Advocate for the applicants submits that the deceased Appellant No. 2 was a retired Principal District Judge and a Member of the State Consumer Forum. He died due to blood cancer. Applicant No. 1 is suffering from breast cancer and requires regular treatment. The applicants had no knowledge about the present proceedings. Therefore, the delay has occurred.

4. Learned AGP for the State strongly opposed the application.

5. Perused the application. Considering the reasons stated therein, it appears that the delay is not deliberately caused. Hence, the application deserves to be allowed in the interest of justice. Hence, the following order:

::ORDER::

- a. The application is allowed by setting aside the abatement.
- b. The delay of 1377 caused in filing the Civil Application for bringing the legal representatives of deceased appellant No.2- Pradeep S/o Bapurao Joshi on record is condoned.
- c. The applicant is directed to amend the appeal memo by bringing the legal representatives of the deceased appellant on record within a period of one

week from today.

d. The Civil Application is disposed of.

FIRST APPEAL

. Learned Advocate for the appellant submits that he is ready to appear on behalf of the legal representatives of the deceased appellant No.2 in the present appeal. He submits that he will file the vakalatnama on their behalf on the next date.

2. List the First appeal for final hearing on 16.03.2026, first on board.

[SANJAY A. DESHMUKH, J.]

HRJadhav