



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

**CIVIL APPLICATION NO. 3117 OF 2026
IN
FIRST APPEAL NO. 524 OF 2025**

Shahajirao @ Shahaji Krishna Haralkar
Since deceased through his L.Rs.
Dattatray Shahaji Haralkar .. Applicant

Versus

The State of Maharashtra, through the
Collector, Osmanabad and others .. Respondents

Shri Laxmikant C. Patil, Advocate for the Applicant.
Shri V. V. Jahangirdar, A.G.P. for the Respondent Nos. 1 and 2.
Shri Anil M. Gaikwad, Advocate for the Respondent No. 3.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 17TH MARCH, 2026.**

FINAL ORDER :

. Heard both sides.

2. Applicant seek to condone delay of 1120 days caused in filing application for setting aside abatement and bringing the legal heirs of the deceased applicant – shahajirao Krishna Haralkar.

3. The cause of action survives as against the heirs of the deceased – claimant. He is necessary party. The delay cannot be said to be intentional one.

4. For the reasons stated in the application, the delay stands condoned. Abatement if any is set aside. Leave is granted to both sides to bring the legal heirs of the deceased claimant. Amendment shall be carried out by either of the side within a period of two (02) weeks from today. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/March 26