



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

**CIVIL APPLICATION NO. 3124 OF 2026
IN
FIRST APPEAL NO. 260 OF 2025**

Piraji S/o Sitaram Kasab (Suryawanshi)
Since deceased through his L.Rs.
Yashodabai Piraji Kasab (Suryawanshi)
and others .. Applicants

Versus

The Executive Engineer, Seena-Kolegaon
Medium Project Donja, Tq. Paranda
and others .. Respondents

Shri Mukund S. Patil, Advocate for the Applicants.
Shri Arun H. Koralkar, Advocate for the Respondent No. 1.
Shri N. D. Raje, A.G.P. for the Respondent Nos. 2 and 3.

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

FINAL ORDER :

. Applicants seek to condone delay of 46 days caused in filing application for setting aside abatement and bringing the legal heirs of the deceased applicant No. 1 – Piraji Sitaram Kasab (Suryawanshi).

3. The cause of action survives as against the heirs of the deceased – applicant No. 1. They are necessary parties. 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 applicant No. 1 on record. 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