



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

923 FIRST APPEAL NO. 977 OF 2015

Vithal Ramji Narhare

VERSUS

The State Of Maharashtra And Another

...

Mr. V. D. Gunale, Advocate for Appellant

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

Mr. Manish N. Navandar, Advocate for Respondent No.2

WITH

CIVIL APPLICATION NO. 4094 OF 2026 IN FA/977/2015

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 08.04.2026

PER COURT :-

CIVIL APPLICATION NO. 4094 OF 2026

1. Heard.

2. This is an application for condonation of 1099 days delay caused in filing the Civil Application for bringing the legal representatives of deceased appellant Vithal Ramji Narhare on record as well as for setting aside abatement.

3. Learned AGP for the respondent / State and learned Advocate for respondent No.2 strongly opposed the application and submitted that there is no sufficient reasons to condone the delay. They prayed to reject the application.

4. Perused the application. Considering the reasons stated therein, it appears that the delay is not deliberately caused. The *lis* of the applicants is required to be decided on merits. Accordingly, the application deserves to be allowed in the interest of justice. Hence, the following order:

::ORDER::

- a. The application is allowed.
- b. The delay of 1099 caused in filing the Civil Application for bringing the legal representatives of deceased appellant on record is condoned.
- c. The abatement is set aside.
- d. Permission to bring the legal representatives of the deceased appellant/Vithal Ramji Narhare on record is granted. The amendment be carried out within a period of two weeks from today. If the amendment is not carried out within the stipulated period, the applicants have to pay costs of Rs.2,000/-.

. List the First appeal on 24.04.2026.

[SANJAY A. DESHMUKH, J.]