



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 4108 OF 2026
IN FA/2050/2010

Irayya Karbasayya @ Babayya Swamidied Through Lrs Mahadevi
Irayya Swami And Ors.

VERSUS

The State of Maharashtra Through The Collector Osmanabad And
Ors.

... ..

AND

CIVIL APPLICATION NO. 4109 OF 2026
IN FA/2049/2010

Shivappal Bhimrao Birajdar (kalse) Died Thr Lrs Bhagirati And Ors.

VERSUS

The State of Maharashtra Through The Collector Osmanabad And
Anr.

...

Advocate for Applicant : Mr. Patil Laxmikant C.

AGP for Respondents: Mr.S.B. Jadhav

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CORAM : SANJAY A. DESHMUKH, J.

DATED : 9th APRIL, 2026

PER COURT :-

1. Both these applications are filed for bringing the legal representatives of deceased appellants in respective first appeals viz. Irayya s/o Karbasappa @ Babayya Swami and Shivappa Bhimrao Birajdar (Kalse), respectively, for which there is delay of 1401 days caused in filing the applications.

2. Perused the applications. Heard learned advocates for

both sides. Considering the reasons stated in the applications, it appears that the delay is not caused deliberately. The delay therefore, deserves to be condoned in the interest of justice. Both the applications are allowed in terms of prayer clauses B to D. Abatement is set aside and permission to bring the legal representatives of the respective appellants on record is granted. Amendment to be carried out on or before 23.04.2026.

(SANJAY A. DESHMUKH, J.)

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