



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

927 FIRST APPEAL NO. 2820 OF 2025

Yashoda Balraj Gaud (died) Thr Lrs. Dindayal Balraj Gaud

VERSUS

Nabi Gulabsab Motole And Ors

...

Mr. S. G. Rudrawar, Advocate for Appellant

Mr. S. R. Bobade, Advocate for Respondent No.3

Mr. S. K. Chavan, Advocate for Respondent Nos.4 and 5

WITH

CIVIL APPLICATION NO. 4440 OF 2026

IN FA/2820/2025

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 16.04.2026

PER COURT :-

CIVIL APPLICATION NO. 4440 OF 2026

1. Heard.

2. This is an application for condonation of 4697 & 1219 days delay caused in filing the Civil Application for bringing the legal representatives of deceased respondent No.1/Nabi Gulabsab Matole and respondent No.2/Vishwambhar S/o Dwarkoba Shinde on record as well as for setting aside abatement.

3. Learned Advocate for the respondents strongly opposed the application.

4. 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.
- b. The delay of 4697 & 1219 caused in filing the Civil Application for bringing the legal representatives of deceased respondent Nos.1 and 2 on record is condoned.
- c. The abatement is set aside.
- d. The applicant is directed to amend the appeal memo by bringing the legal representatives of the deceased respondent Nos.1 and 2 on record on or before 30.04.2026. If amendment is not carried out within the stipulated period, the appellant has to pay costs of Rs.2,000/-.

FIRST APPEAL

- . Issue notice to respondent No.6/Insurance company, returnable on 24.06.2026.

[SANJAY A. DESHMUKH, J.]

HRJadhav