

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 132 OF 2026

IN

WRIT PETITION NO. 370 OF 1997

Rajaram Babaji Raut Since Deceased Thro. His Legal ... Applicant
Heirs

Versus

Dattatraya Govind Jadhav (since Deceased) ... Respondent

WITH

INTERIM APPLICATION (STAMP) NO. 26213 OF 2025

IN

WRIT PETITION NO. 370 OF 1997

Rajaram Babaji Raut Since Deceased Thro. His Legal ... Applicant
Heirs

Versus

Dattatraya Govind Jadhav (since Deceased) ... Respondent

.....
Mr. Sandeep Koregave a/w Om Gurav, Rohan Ghatage for the Applicant
None for the Respondent.

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CORAM : SHAILESH P BRAHME, J.

DATE : 16th JUNE, 2026

P. C. :

INTERIM APPLICATION NO. 132 OF 2026

. By this application, the applicant seeks restoration of the Writ
Petition which was dismissed by order dated 07.03.2024.

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2. For the reasons stated in the application, it is desirable to restore the Writ Petition so as to deal with the matter on merits.
3. The delay stands condoned. The Writ Petition is restored to its original position.
4. Learned counsel for the applicant undertakes to supply paper book within a period of eight (8) weeks.

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5. By this application, the applicant seeks to condone the delay in bringing LR. of applicant No.1 – Rajaram Babaji Raut on record.
6. The cause of action survives as against the heirs of applicant No.1. They are necessary parties. No *mala fides* can be inferred in making the application belatedly. It is desirable to condone the delay.
7. The Interim Application is allowed condoning delay and setting aside abatement as against the applicant No.1. The legal heirs are permitted to be brought on record. Amendment to be carried out within four (4) weeks.

(SHAILESH P. BRAHME, J.)