



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 3783 OF 2024  
IN  
FIRST APPEAL NO. 06 OF 2022

VIDC, Wardha and anr. Vs. Gajanan Maroti Satpute, Wardha and Ors.

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders.

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Mr. M.A. Kadu, Advocate for applicants.  
Mrs. S.S. Wandile, Advocate for respondent No.1 (A) to 1 (D).  
Mr. S.C. Joshi, AGP for respondent Nos.2 & 3/State.

**CORAM : PRAFULLA S. KHUBALKAR, J.**

**DATE : 04.02.2026**

By this application, the applicants are seeking condonation of delay in filing application for setting aside abatement against the respondent No.1 and permission to bring on record the legal representatives of the deceased – respondent No.1.

2. Heard the learned counsel for applicants as well as learned counsel for the legal representatives of the deceased respondent No.1.

3. It is pointed out that there is a delay of 117 days from the date of knowledge about the death of respondent No.1 and from the date of death, the delay is of 352 days in filing the instant application.

4. Learned counsel for the applicants submit that the cause of action survives against the legal representatives of deceased respondent No.1, the delay is unintentional and the application needs to be allowed in the interest of justice.

5. Learned counsel for legal representatives of deceased respondent No.1(A) to 1(D), conveys no objection for this application.

6. In view of this, the application is allowed. The delay in filing the application for setting aside abatement is condoned, the abatement against the respondent No.1 is set aside. The applicant is permitted to bring on record the legal representatives of deceased respondent No.1 by carrying out necessary amendment within a period of one week from today.

7. Civil application is allowed and disposed of.

**First Appeal No.06/2022**

List the appeal for further consideration on  
**18.02.2026.**

**(Prafulla S. Khubalkar, J.)**