



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

CIVIL APPLICATION [CAF] NOS.919/2026 IN
FIRST APPEAL NO.1206 OF 2009

[The State of Maharashtra and others .vs. Deorao Atmaram Fiske and one]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M.A. Kadu, AGP for Applicants.

.....
CORAM : PRAVIN S. PATIL, J.

DATED : 17.02.2026.

1. By this application, the applicants are seeking the condonation of delay of 2806 days caused in filing application for setting aside the abatement of the appeal against the respondent no.1.

2. It is pointed out that the respondents counsel filed the pursis in the matter vide St. No.3/2023 informing that the respondent nos.1 and 2 are expired. Hence, considering this date, the applicants got knowledge of the death of the respondents. Hence, considering the date of knowledge, they have immediately preferred this application. However, as the period is liable to be counted from the date of death of the respondents, the delay of 2806 days is caused in filing the application.

3. Considering the reasons stated in the application, the application is allowed. The delay of 2806 caused in filing the application is hereby condoned.

4. The application stands disposed of.

Civil Application (CAF) No.920/2026

1. By this application, the applicants are seeking to set aside the abatement of the appeal against the respondent no.1, who are reported to be dead during the pendency of the present appeal.

2. Hence, for the reasons stated in the application, the application is allowed. The abatement is hereby set aside.

3. The application stands disposed of.

Civil Application (CAF) No.921/2026

1. By this application, the applicants are seeking to condone the delay of 2806 days caused in filing application for bringing legal representatives of respondent no.1 on record.

2. For the reasons stated in the application, the application is allowed and disposed of.

Civil Application (CAF) No.922/2026

1. By this application, the prayer is made to grant permission for bringing the legal heirs of respondent no.1 on record.

2. The applicant has given the reasons as well as the details of the legal heirs of respondent no.1. The submission is made on affidavit.

3. Hence, for the reasons stated in the application the application is allowed. The legal heirs of respondent no.1 be brought on record by making necessary amendment within a period of two weeks.

4. The application stands disposed of.

Civil Application (CAF) Nos.925, 926, 927, 928/2026

1. By these application, the applicants are seeking to condone the delay for setting aside the abatement of the appeal against respondent no.2, for setting aside the abatement, condonation of delay for bringing legal representatives of

respondent no.2 on record and bring the legal representatives of respondent no.2 on record.

2. For the reasons stated in the applications, the applications are allowed.

3. The legal heirs of respondent no.2 be brought on record by making necessary amendment within a period of two weeks.

4. All the applications stand disposed of.

(PRAVIN S. PATIL, J.)

Gulande