



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

939 CIVIL APPLICATION NO. 5364 OF 2026
IN FA/522/2025

KASHINATH EKNATH MAKANE KADAM DIED THR. LRS
RUKMINBAI KADAM AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND OTHERS

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Advocate for Applicant : Ms. L. R. Thakur h/f Mr. Patil
Laxmikant C

AGP for Respondent/s-State : Mr. C. V. Bhadane.

Advocate for Respective Respondent/s : Mr. Anil Marutirao
Gaikwad.

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CORAM : SHAILESH P. BRAHME, J.
DATE : 05.05.2026

PER COURT :-

1. Not on board. Taken on board.
2. Applicants seek to condone delay of 69 days in setting aside abatement and bringing legal heirs of Kashinath Eknath Makane @ Kadam on record. The cause of action survives as against the heirs of the deceased/claimant. It is desirable to condone the delay. The delay is condoned, the abatement is set aside. Leave is granted to bring the heirs of the deceased on record.
3. Amendment shall be carried out by either of the parties.



4. Civil application is allowed.

(SHAILESH P. BRAHME, J.)

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vmk/-