



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

**FIRST APPEAL NO. 70 OF 2019**

(Mahadeo Shivram Borkhade (dead) through L.Rs. V/s The State of Maharashtra & Ors.)

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. P. Kariya, Advocate a/w Mr. V. D. Darne, Advocate for Appellant.  
Ms. D. I. Charlewar, AGP for Respondent Nos.1 to 3.  
Mr. Ashish P. Chaware, Advocate for Respondent No.4.

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**CORAM : PRAVIN S. PATIL, J.**  
**DATE : FEBRUARY 02, 2026.**

. It is pointed out by the learned Counsel for both sides that bunch of total 12 matters are listed for final hearing. According to them, present Appeal is a leading appeal and any decision in the present Appeal is having a direct bearing on the other Appeals which are tagged along with the present Appeal. As this matter was called out for final hearing, learned Counsel appearing for Respondent No.4 has informed that he is instructed by his client to file Cross Objection in the matter. According to him, Cross Objection is very much necessary and in absence of same he is unable to proceed to advance argument in the matter.

2. The learned Counsel appearing in other Appeals, particularly, for Claimants, strongly opposed the present stand

taken by the Respondent No.4 as it is nothing but a delaying tactics on the part of the Respondent No.4.

3. In the circumstances, considering the overall factual and legal position, 10 days time is granted to the Respondent No.4 to take necessary steps, if so desires, and if the Respondent No.4 failed to take necessary steps within stipulated period, this matter will be proceeded on its own merits.

4. It is also necessary to impose costs upon the Respondent No.4 because today the matters are fixed for final hearing with consent of the parties and this Court is supposed to take this matter for final disposal, however, due to this submission made by the learned Counsel for Respondent No.4, final hearing could not be taken place, as a result, the Respondent No.4 is directed to deposit costs of Rs.4000/- to the Public Welfare Account, which is operated in terms of Suo Mottu Public Interest Litigation No.01/2021 on or before the next date.

5. List the matter on 12<sup>th</sup> February, 2026.

**[PRAVIN S. PATIL, J.]**

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