

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

CIVIL APPLICATION (CAF) NO. 240 OF 2015
AND
CIVIL APPLICATION (CAF) NO. 241 OF 2015
AND
CIVIL APPLICATION (CAF) NO. 239 OF 2015
IN
FIRST APPEAL NO. 270 OF 2004

(SMT. PUSHPA PRADEEP CHANDAK & OTH...VS..PRASHANT KHUSALRAO PACHGARE & ANR.)

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.
DATED : FEBRUARY 27, 2015.

None for the appellants. Mr. D.N. Kukday learned advocate for respondent No.2.

For the reasons stated in the applications and considering the facts of the case, specifically that the appeal does not abate in entirety inasmuch as the appellant Nos. 1 and 2 can prosecute the appeal, the delay in filing the application is condoned. The abatement is set aside and applicant Vijaykumar Sukhdeoji Chandak is permitted to come on record as appellant No.3.

The Civil Applications are **allowed**.

The issue as to whether applicant Vijaykumar Sukhdeoji Chandak is the only legal representative of deceased appellant No.3 is not decided and it may be considered at the appropriate stage, if required.

JUDGE.