

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAS] No. 1307 of 2014
IN
Second Appeal No. 560 of 2007
[Bhairavprasad Shivnarayan Mishra Vs. Vithalrao Sonbaji Bhomle]

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

Court's or Judge's orders

Mr. Shrikant Deo, Adv., for the appellant.
Mrs. Vijaya Thakre, Adv., for respondent.

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CORAM : A.B. CHAUDHARI, J.

DATE : 29th March, 2016

By this application, the applicant, appellant, requests to condone the delay of 112 days in bringing on record the legal representatives of deceased respondent and to set aside the abatement following the death of respondent, Vithalrao Sonbaji Bhomle, on 6th May, 2014.

Heard learned counsel for the applicant, appellant, and learned Adv. for the deceased respondent, who opposed the application.

Accepting the reasons furnished in the application to be sufficient and satisfactory, and though the application is opposed, in view of the fact that the

legal heirs being sons and the daughter of the deceased respondent, the appellant has a right to continue prosecution of the appeal against them, the application is allowed, delay is condoned, and abatement is set aside.

Civil Appln. No. 1308/14 :

This is an application to bring on record the legal heirs of deceased respondent.

Heard.

For the reasons stated in the application, the application is allowed. Amendment be carried out within two weeks.

Judge

[hedau]