

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application No. 1048 of 2015
IN
Second Appeal No. 438 of 2010
[Laxman Mahadeo Lende Vs. Gunaji Nagorao Deogade]

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

Court's or Judge's orders

Mr. A.Z. Jibhkate, Adv., for the appellant.
Mr. S.S. Murthy, Adv., for respondent sole.

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CORAM : A.B. CHAUDHARI, J.

DATE : 09th March, 2016

By this application, the applicant, appellant, requests to condone the delay in bringing on record the legal representatives of deceased respondent and to set aside the abatement following the death of respondent, Gunaji Nagorao Deogade.

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 the widow, son and the daughters 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. 1049/15 :

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, subject to correction in the name of legal heir No. [d]. Amendment be carried out within one week.

Pursis St. No. 12081/15 is filed.

Second Appeal :

Stand over to next week.

Judge

