

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAS] No. 1275 of 2014
IN
Second Appeal No. 154 of 2000
[Hiralal Ramjivan Saboo Vs. Bapurao Zinguji Bhoyar & others]

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

Court's or Judge's orders

Mr. Rugved Dhore, Adv., for applicants.
Mrs. Vijaya Thakre, Adv., for respondent Nos. 1,2 (I), (iii) 3 (I to iii)
and 4 to 6.

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CORAM : A.B. CHAUDHARI, J.

DATE : 29th March, 2016

By this application, the applicants request to condone the delay of 1655 days in bringing on record their names as legal representatives of appellant following the death of appellant, Hiralal Ramjivan Saboo, on 11th May, 2010.

Heard learned counsel for the applicants, and learned Adv. for the concerned respondents.

Accepting the reasons furnished in the application to be sufficient and satisfactory, and in view of the fact that the legal heirs being widow and sons of the deceased appellant, they have a right to continue prosecution of the appeal against the respondents, the

application is allowed and delay is condoned.

Civil Appln. No. 1274/14 :

This is an application to condone the delay in filing application for setting aside abatement and to set aside the abatement.

Heard.

For the reasons stated in the application, the application is allowed. Delay is condoned. Abatement is set aside.

Civil Appln. No. 1276/14 :

The applicants, who are the widow and sons of deceased appellant, have applied to bring their names on record of this appeal in place of the appellant following his death.

Heard.

Since the applicants are the legal heirs of deceased appellant, they have a right to continue prosecution of this appeal. The application is, therefore, allowed. Amendment be carried out within one week.

Second Appeal :

Put up this Second Appeal for final hearing on 7th April, 2016 with Second Appeal No. 543 of 2012, since according to Mr. Dhore, counsel for the appellant, the subject-matter involved in Second Appeal No. 543 of 2012, namely the property, is the same as in the present Second Appeal.

Judge|hedau|