

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAS) NOS.328,329 & 330 OF 2017

IN

SECOND APPEAL NO.216 OF 2016

Chandrakumar s/o Tolaram Dengani

-vs-

Kausalyabai wd/o Narayan Shingade

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

Court's or Judge's Orders.

Shri R. N. Sen, Advocate for applicant.

Shri A. D. Ramteke, Advocate for LR's of respondent.

CORAM : A.S.CHANDURKAR, J.

DATE : AUGUST 28, 2017

By these applications it is prayed that the legal heirs of the sole respondent be permitted to be brought on record after setting aside abatement and condoning the delay. In the application, it is stated that the appellant and the said respondent resided in different villages and therefore it was not possible for the appellant to get knowledge about her death.

The application is opposed by the legal heirs of the sole respondent on the ground that the reasons mentioned in the application are not sufficient.

Considering the reasons mentioned in the application, I do not find the delay has been caused deliberately. Hence by condoning the delay and setting aside abatement, the legal heirs are permitted to be

brought on record. Amendment be carried out within period of one week from today.

Shri A. D. Ramteke, waives notice on behalf of legal heirs of the respondent.

Civil applications are allowed and disposed of.

JUDGE

Asmita