

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

SA NO.444/2003

Smt. Reubai wd/o Baburao Badhe

..vs..

Narayan s/o Kisan Dahatre and anr

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

Court's or Judge's Order

Shri C.A. Joshi, Counsel for the appellant.

Shri S.R. Deshpande, counsel for the respondents.

CORAM : V.M. DESHPANDE, J.

DATED : DECEMBER 6, 2017.

Civil Application (CAS) Nos.562, 563, and 564 of 2017

1. Heard learned counsel Shri C.A. Joshi for the applicant/appellant and learned counsel Shri S.R. Deshpande for the respondents.

2. During the pendency of the present appeal, respondent No.1 expired on 18.12.2012. These are applications for bringing names of his legal representatives on record and for condonation of delay and for setting aside abatement.

3. Learned counsel Shri S.R. Deshpande appearing for the proposed legal representatives of respondent No.1 seriously objects for allowing these applications.

4. Learned counsel submits that though he appeared

on 18.12.2012, for the first time on 7.6.2017 he filed a Pursis in the matter informing about death of respondent No.1. After getting the knowledge of death of Narayan, steps were taken to bring legal representatives. The applications are moved on 13.6.2017. Thus, from the date of knowledge there is no delay on the part of the appellant.

5. In that view of the mater, all these application are allowed subject to payment of costs of Rs.250/-, within a period of two weeks from today, to be paid to learned counsel Shri S.R. Deshpande for the respondents. Learned counsel Shri Deshpande shall pass an appropriate receipt.

6. All applications are allowed and disposed of. Abatement is set aside. Delay is condoned and names of legal representatives of respondent No.1 be brought on record.

7. The appellant to carry out the amendment within a period of two weeks from today.

JUDGE

!! BRW !!

...../-