

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

FIRST APPEAL NO.188 OF 2004

(National Insurance Co. Ltd. thr. its Divisional Office No.1, Nagpur Vs. Lalitendranath
s/o Omkarnath Dikshit and others)

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

Court's or Judge's orders.

Shri N.H. Shams, Advocate for Applicant/Appellant.
Shri Gaurav Singh Sengar, Advocate for Respondent Nos.1 & 2.

CORAM: DR. (SMT.) SHALINI PHANSALKAR-JOSHI, J.

DATE: 30th JUNE, 2017.

Civil Application (F) No.2679/2017:

This is an application filed by the learned counsel for appellant to bring the additional legal representatives of deceased/respondent No.3 on record. It is submitted that initially only the son of original respondent No.3 was brought on record. Thereafter sons of respondent No.3 had filed the Pursis on 06.06.2017, disclosing the names of other legal heirs. Hence, it is submitted that whatever the delay has occurred for bringing their names on record be condoned and abatement be set aside.

For the reasons disclosed in paras 3 and 4 of the application, the delay in preferring filing the application is condoned and the abatement is set aside.

Civil Application (F) No.2681/2017:

For the reasons stated in the application for condonation of delay and application for setting aside abatement as both the applications are allowed, this application to bring the names of legal heirs of respondent No.3 on record also needs to be allowed. Appellant to carry out necessary amendment and thereafter notices of the appeal be issued to them, returnable after six weeks.

The application stands disposed of.

JUDGE