

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

SECOND APPEAL NO.413 OF 2016

Bhukru s/o Bisen Thote. Thr. LRs and anr

..vs..

Jadhorao Lanjewar, thr. LRs and ors

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

Court's or Judge's Order

Shri N.G. Solov, Counsel for the appellants.

CORAM : V.M. DESHPANDE, J.

DATED : NOVEMBER 3, 2017.

Civil Application Nos.1148, 1149, and 1150 of 2016

Heard learned counsel Shri N.G. Solov for the
 applicants/appellants.

Civil Application No.1148 of 2016 is an application
 for condonation of delay. Civil Application No.1149 of 2016 is an
 application for setting aside abatement. Civil Application
 No.1150 of 2016 is an application for bringing legal
 representatives of one Jadhaorao on record.

On all these three applications on 3.7.2017 notices
 were issued.

Office note shows that proposed legal
 representatives of Jadhaorao are served on these applications.

These civil applications were listed before this
 Court on 6.10.2017 for further consideration. Though the
 proposed legal representatives were served on these

applications, on the said day none appeared. Therefore, in order to give a chance to them, the matter was directed to be placed today.

Today also, nobody has filed Vakalatnama for and on behalf of the proposed legal representatives nor any of one is present in the Court. All these applications are on affidavits. Thus, statements made in applications on affidavits are remained uncontroverted.

In that view of the matter, the applications are allowed and disposed of.

The applicants/appellants to amend the cause title bringing legal representatives of Jadhaorao on record of this second appeal within a period of one week.

Second Appeal No.413 of 2016

Heard.

Issue notices of final disposal to the respondents, returnable after four weeks, on following substantial question of law:

(i) As to whether dismissal of appeal as having abated was sustainable in the light of the reply given by the legal representatives to the application for condonation of delay?

JUDGE

!! BRW !!

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