

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

Civil Application No.784 of 2015

In

Second Appeal Stamp No.16352 of 2015

(Smt. Ratnamala wd/o Ilam Thool and others v. Natthuji s/o Sampat
Dhargawe (Dead), through LRs 1(a) Smt. Usha Anand Bambhore (Dead),
through LRs. 1(a)(i) Nikhil Anand Bambhore and others)

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

Shri R.A. Gupta, Advocate for Applicants/Appellants.

Coram : R.K. Deshpande, J.

Date : 9th February, 2017

Civil Application (CAS) No.784 of 2015 :

There is a delay of nine days caused in filing the second appeal. Notices were issued to the respondents. All the respondents are served. No one appears for the respondents.

After going through the averments made in the application, I am satisfied that a sufficient cause is made out for condonation of delay. Hence, the application is allowed. The delay caused is condoned.

The civil application is disposed of.

Second Appeal Stamp No.16352 of 2015 :

Heard the learned counsel for the appellants on the merits of the matter.

Admit, on the following substantial question of law :

Whether the decree passed by the lower Appellate Court in Regular Civil Appeal No.69 of 2010 becomes nullity, for the reason that formally the names of the legal representatives of Ilam were not brought on record, though it is an undisputed position that the legal representatives were before the Court and had participated in the proceedings?

Judge.

Lanjewar