

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

CIVIL APPLICATION (CAS) NOS.1369 AND 1368 OF 2017

IN
SECOND APPEAL NO.42 OF 2012

Anil Pundlikrao Meghe (dead)

..VS..

Prabhakar Manikkule and ors

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

Court's or Judge's Order

.....
Shri P.S. Chauhan, Counsel for the applicants/LRs of appellant.
Shri R.L. Khapre, Counsel for R-1 to 4.
Shri Amit Balpande, AGP for the State.

CORAM : V.M. DESHPANDE, J.

DATED : NOVEMBER 30, 2017.

1. These applications are moved by legal representatives of appellant Anil Meghe who expired on 30.11.2016.
2. The applications are for setting aside abatement and for bringing the applicants' names as legal representatives of the appellant on record and for condonation of delay since there occurs delay of 184 days.
3. The applications are duly affirmed by widow of deceased appellant Anil Meghe.
4. Learned counsel Shri R.L. Khapre for respondent Nos.1 to 4 and learned Assistant Government Pleader Shri Amit Balpande for the State vehemently oppose the applications.

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5. After considering their objections, in my view, the applicants have made out a case for condonation of delay and for bringing their names in place of deceased appellant Anil Meghe.

6. Consequently, the applications are allowed. Delay is condoned. Abatement is set aside.

7. The names of the applicants in these applications be substituted in place of the appellant and they are permitted to prosecute the second appeal.

8. Learned counsel for the applicants to carry out the amendment within a period of two weeks.

9. The applications are allowed and disposed of.

JUDGE

!! BRW !!

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