

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

**CIVIL APPLICATION (CAS) NOS.807 OF 2017 AND 116 OF 2018**  
**IN**  
**SECOND APPEAL NO.474 OF 2009**

Jagannath Dattatraya Jog  
-vs-  
Radhabai Laxmanrao Ghate and ors.

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

Court's or Judge's Orders.

Ms S. P. Giratkar, Advocate for appellant/applicant.  
Shri S. P. Kshirsagar, Advocate for respondents.

**CORAM : A.S.CHANDURKAR, J.**  
**DATE : February 16, 2018**

By these applications it is prayed that legal heirs of respondent Nos.1 and 3 be permitted to be brought on record. In the application it is stated that the second appeal was dismissed on 04/05/2010 after which the applicants found it necessary to obtain necessary clarification of that order. It is further stated that in the meanwhile respondent Nos.1 and 3 expired and after collecting necessary documents, these applications came to be moved.

The applications are opposed by the legal heirs of respondent No.1 on the ground that delay has not been properly explained.

Considering averments made in both the applications, I do not find that the delay has been deliberately caused. Hence both the applications are allowed. Legal heirs of said respondents are permitted

to be brought on record. Amendment be carried out within one weeks.

Civil Applications are disposed of.

**JUDGE**