

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

946 CIVIL APPLICATION NO.8397 OF 2018
IN CA/141/2018 IN SA/118/1994
WITH
CIVIL APPLICATION NO.8398/2018 IN CA/142/2018 IN SA
119/94

PRAMILABAI SADASHIV JAGTAP
VERSUS
GANPAT MURLIDHAR BANKAR (DECEASED) LRS KRISHNABAI
ANDOTHERS

...

Advocate for Applicant : Shri Dhorde Pramod P.
None present for respondents.

CORAM: V.L. ACHLIYA, J.

DATE: 09.08.2019

PER COURT :

1] Both these applications are filed for setting aside the order passed by the Assistant Registrar dismissing the appeals in default for not taking steps to bring L.Rs. of deceased respondent no.1B on record. Learned counsel for the applicant submits that the son of the applicant – appellant suffered a massive heart attack and later on died. Due to this reason, the steps could not be taken within time, which resulted in passing order of dismissal.

2] None present for respondents. No reply filed to the civil applications.

3] Considering the submissions advanced in the light of unchallenged pleadings made in the applications and the cause assigned for condonation of delay as well as setting aside Assistant Registrar's order, I am of the view that the applications deserve to be allowed in the larger interest of justice.

4] Accordingly, the applications are allowed in terms of prayer clauses [B] and [C] in respective applications.

5] Learned counsel for the applicant is directed to take necessary steps within two weeks for bringing L.Rs. of deceased respondent no.1B on record.

6] The applicant is granted two weeks time to take necessary steps.

7] The appeals are restored to file.

(V.L. ACHLIYA, J.)