

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

CIVIL APPLICATION (CAS) NOS.296, 297 AND 298 OF 2019

IN

SECOND APPEAL NO.638 OF 2018

(Haribhau Marotiji Khotale ..vs.. Naktu s/o Yesuramji Bhendarkar and another)

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

Court's or Judge's orders

Ms. Tapadiya, Counsel h/f. Shri A.M. Quazi, Counsel for the appellant,
Shri Abhijit Khare, Counsel for respondent 1.

CORAM : ROHIT B. DEO, J.

DATED : 16-04-2019

This appeal was to be heard finally at the admission stage.

2. However, it is brought to the notice of the Court that respondent 2-Lungabai has expired.

3. The civil applications are preferred by the appellant seeking condonation of delay, setting aside the abatement and for bringing on record the legal heirs of deceased respondent 2-Lungabai.

4. Civil Applications 296/2019, 297/2019 and 298/2019 are allowed.

5. The delay is condoned, the abatement is set aside and the appellant is permitted to bring on record the legal heirs of deceased respondent 2-Lungabai.

Second Appeal No.638/2018.

Notices be issued to the legal representatives for deceased respondent 2-Lungabai, returnable after vacations.

JUDGE

adgokar