

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

CIVIL APPLICATION NO.430/2017 IN SECOND APPEAL ST. NO.10009/2017

[Bhimrao Karnu Madavi .vs. Vishwanath Pundlik Togare and others]

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

Court's or Judge's orders

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Shri S.O. Ahmed, Advocate for appellant,
Ms Nazia Pathan, Advocate for respondents.

CORAM : MRS. SWAPNA JOSHI, J.

DATED : MARCH 01, 2019.

Civil Application (CAO) No.453/2019

This is an application filed by the applicants for condonation of delay in filing application for setting aside abatement and bring the legal heirs of deceased applicant on record.

Heard. Perused the application. For the reasons mentioned in the application, the application is allowed. The delay is hereby condoned, subject to the payment of costs of Rs.500/- to the Vidarbha Lady Lawyers' Association, Nagpur within two weeks. Civil Application stands disposed of.

Civil Application (CAO) No.452/2019

This is an application filed by the applicants for setting aside abatement under Order 22 of the Code of Civil Procedure.

Heard. Perused the application. It is submitted that during the pendency of the application, applicant expired on 23.8.2017. In view thereof, the abatement needs to be set aside. For the reasons mentioned in the application, the application is allowed. The abatement is hereby set aside. Civil Application stands disposed of.

Civil Application (CAO) No.454/2019

This is an application filed by the applicants for bringing the legal heirs of the deceased applicant, who expired on 23.8.2017, on record.

For the reasons mentioned in the application, the application is hereby allowed. Applicants to carry out the amendment within two weeks. Civil Application stands disposed of.

JUDGE