

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

CIVIL APPLICATION (CAS) 325 OF 2019 &
CIVIL APPLICATION (CAS) 326 OF 2019

IN

SECOND APPEAL 277 OF 2005

(Khairulla Baig Arshalla Baig & ors..vs.. Mirza Mushtaq Haji Baig)

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

Court's or Judge's orders.

Shri A.V. Bhide, counsel for applicants.
Shri Abhay Sambre, counsel for respondent.

CORAM: ROHIT B. DEO, J.

DATE: 25th MARCH, 2019.

For reasons stated in the application, and particularly in view of the averment that it was only when a praecipe came to be filed in the admitted appeal that the appellants gathered the knowledge of the death of the sole respondent, the application is allowed.

2 The delay in setting aside and bringing on record the legal representatives of the sole respondent, is condoned.

CIVIL APPLICATION 326 OF 2019

This application is taken out for bringing legal representatives of the sole respondent on record.

2 This application is allowed subject to the right of the legal heirs to oppose his/her impleadment.

3 The cause title be corrected appropriately and notices be issued to the legal heirs of the deceased respondent returnable in two weeks.

JUDGE

rsb