

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

CIVIL APPLICATION (CAS) NO.1069 OF 2019 IN
SECOND APPEAL (SA) NO.320 OF 2003.

(Lahanubai Sitaram Chalkh (Dead) & Ors. Vs. Dewaji Bondaku Bhandekar (Dead) thr.LRs
& Ors.)

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

Court's or Judge's orders.

Shri G.S.Sengar, Advocate h/f Shri Shrikant Deo,
Advocate for the appellants.
Ms.Sneha Dhote, Advocate h/f Shri R.R.Vyas, Advocate
for LR of respondent No.3.

CORAM : PUSHPA V. GANEDIWALA, J.
DECEMBER 19, 2019.

Heard.

This is an application seeking permission to correct the name of respondent No.3, who has expired on 14/11/2003, in Second Appeal No.320/2003 as well as in the records of the Courts below.

It is stated that the actual name of respondent No.3 is "Sokaji Dewaji Bhandekar", however, in Second Appeal No.320/2003 so also in the records of Courts below, inadvertently, it came to be recorded as "Sonbaji Dewaji Bhandekar".

Learned counsel for the legal representative of respondent No.3 has no objection, if the same is allowed.

In this view of the matter, the instant application is allowed.

Learned counsel for the appellants is permitted to correct the name of respondent No.3 in Second Appeal No.320/2003 so also in the records of Courts below with intimation to the concerned.

CIVIL APPLICATION (CAS) NOS.1088/2019 AND 344/2017.

These applications are for condonation of delay of 1 year, 2 months and 21 days caused in filing application for setting aside abatement and in bringing the legal representatives of respondent No.1A on record.

Considering the reasons assigned in the aforesaid applications and finding them to be satisfactory, the same stand allowed in terms of prayer clauses mentioned therein.

The necessary amendment be carried out within 4 weeks.

Both the Civil Applications accordingly stand disposed of.

CIVIL APPLICATION (CAS) NOS.349/2017 AND 350/2017.

These applications are for condonation of delay of 10 years and 18 days caused in filing application for setting aside abatement and in bringing the legal representatives of respondent No.5 on record.

Considering the reasons assigned in the aforesaid applications and finding them to be satisfactory, the same stand allowed in terms of prayer clauses mentioned therein, subject to cost of Rs.2,000/- to be deposited by the appellants with the Vidarbha Lady Lawyers' Association, Nagpur.

The necessary amendment be carried out within 4 weeks.

Both the Civil Applications accordingly stand disposed of.

CIVIL APPLICATION (CAS) NOS.351/2017 AND 352/2017.

These applications are for condonation of delay of 9 years, 6 months and 26 days caused in filing application for setting aside abatement and in bringing the legal representatives of respondent No.6 on record.

Considering the reasons assigned in the aforesaid applications and finding them to be satisfactory, the same stand allowed in terms of prayer clauses mentioned therein, subject to cost of Rs.2,000/- to be deposited by the appellants with the Vidarbha Lady Lawyers' Association, Nagpur.

The necessary amendment be carried out within 4 weeks.

Both the Civil Applications accordingly
stand disposed of.

JUDGE

Sumit