

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

CAS NOS.443, 444 AND 445/2019 IN SA NO.223/2017

Vishwanath s/o Rama Purkam

..VS..

Pandhari Govinda Surpam, thr. LRs and ors

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

Court's or Judge's Order

.....
Shri Kadam, Adv. h/f Shri R.R.Vyas, Counsel for the
Applicant.

Shri S.M.Bahirwar, Counsel for the Respondents.

CORAM : V.M.DESHPANDE, J.

DATED : JUNE 14, 2019.

1. These 3 applications are for setting aside abatement, condonation of delay, and bringing legal representatives of respondent No.4B on record.

2. During the pendency of the appeal, on 18.6.2018 respondent No.4B-Ahilyabai passed away leaving behind her legal representatives against whom cause of action survives. They are being daughter and sons of Late Smt.Ahilyabai.

3. Heard Advocate Shri Kadam h/f learned counsel Shri R.R.Vyas for the applicant and learned counsel Shri S.M.Bahirwar for the respondents.

4. After hearing learned counsel for the parties and after perusing statement of facts made on affidavit, the civil applications are allowed. Delay in moving the application for setting aside abatement and bringing legal

representatives on record is condoned. The abatement is aside. The applicant/appellant is permitted to substitute names of legal representatives of respondent No.4B in her place.

5. Learned counsel for the applicant to substitute names of legal representatives of respondent No.4B within a period of 2 weeks from today.

6. The civil applications are allowed and disposed of accordingly.

Second Appeal No.223/2017

1. Heard learned counsel for the parties.

2. Issue Notices of this second appeal to respondent No.4B(i), (ii), and (iii), returnable after 6 weeks.

JUDGE

!! BRW !!

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