

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

CIVIL APPLICATION (CAO) NO.1446/2019
AND
CIVIL APPLICATION (CAO) NO.1447/2019
IN
CIVIL APPLICATION (CAS) NO.491/2019
IN
SECOND APPEAL STAMP NO. 7252/2019

Smt. Parbhi Bhika Jadhav

..VS..

Chandrakant Kailas Rathod and Anr.

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

Court's or Judge's orders

Shri S. S. Bhalerao, Advocate for the applicant

CORAM : V. M. DESHPANDE, J.
DATED : 08/08/2019

These two applications are for condonation of delay and for bringing the names of legal representatives of deceased applicant on record.

2] Heard Shri S. S. Bhalerao, the learned counsel for the applicant.

3] Smt. Parbhi Bhika Jadhav filed second appeal, however, the said appeal was barred by limitation, therefore, Civil Application No. 491/2019 is filed before this Court on 26/03/2019.

4] According to the learned counsel, Smt. Parbhi Bhika Jadhav died on 10/03/2019. Cause title of Civil Application No. 491/2019 shows that Smt. Parbhi Bhika

Jadhav was bed ridden and the application was affirmed by her son Madhukar Bhika Jadhav, who was also holding power of attorney on 07/03/2019.

5] The learned counsel submitted that after the death on 10/03/2019, the said fact was not intimated to the counsel.

6] I have gone through the averments in Civil Application No.1446/2019 and Civil Application No. 1447/2019 which are on affidavit by Madhukar Bhika Jadhav. Both the applications are allowed. Counsel for the applicant is permitted to bring the legal representatives of deceased applicant Smt. Parbhi Bhika Jadhav on record in her place.

The amendment be carried out within a period of one week from today.

JUDGE