

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

CIVIL APPLICATION NO.26/2017 IN M.C.A. ST. NO.24873/2016 IN SECOND APPEAL
NO.359/2012

[Ramu s/o Kawaduji Kumbhare and one .vs. Nandkishor Kishorilal Chourasiya 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 R.M. Pande, Advocate for Applicants.

CORAM : MRS. SWAPNA JOSHI, J.

DATED : JANUARY 09, 2019.

CIVIL APPLICATION [CAO] NO.1342/2018

This is an application for condonation of delay of 503 days in filing the application for setting aside abatement and bringing legal representatives of deceased respondent no.1 on record.

Heard. Perused the application. I am satisfied that the delay is satisfactorily explained by the applicants. In view thereof, following order is passed.

The delay of 503 days in filing the application for setting aside abatement and bringing legal representatives of deceased respondent no.1 on record is hereby condoned, subject to payment of costs of Rs.500/- to the High Court Bar Association Library, Nagpur.

Civil Application stands disposed of.

CIVIL APPLICATION [CAO] NO.1343 OF 2018

This is an application for setting aside abatement and bringing legal representatives of deceased respondent no.1 on

record.

Heard. Perused the application. For the reasons mentioned in the application, the abatement against respondent no.1 is hereby set aside and applicants is allowed to bring the legal representatives of deceased respondent no.1 on record.

Civil Application stands disposed of.

CIVIL APPLICATION [CAO] NO.26/2017

Heard.

For the reasons mentioned in the application, the application is allowed. The delay of 513 days in filing the application for recalling of the order dated 26.3.2015 and restoration of Second Appeal No.359 of 2012 is condoned.

Civil Application stands disposed of.

MISC. CIVIL APPLICATION ST. NO.24873/2016

Shri R.M. Pande, learned counsel for the applicants submitted that it was directed by this court to file the private paper book within a period of eight weeks failing which the appeal shall stand dismissed without further reference to the court. The order was passed on 26.3.2015. Learned counsel submitted that due to inadvertence the private paper book could not be filed. He shown his readiness to file the private paper book within a period of one week. In view thereof, the application is allowed and the Second Appeal No.359 of 2012 is restored to the file.

M.C.A. stands disposed of.

JUDGE