

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

CIVIL APPLICATION (CAF) NO. 2488 OF 2018
IN
FIRST APPEAL NO. 503 OF 2007

Smt Vimalabai Shantaram Udyakar and another.

V/s

Gajanan Bhika Rothe and another.

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

Court's or Judge's orders.

Shri P.K. Mohta, counsel for the applicants/appellants.

CORAM : ARUN D. UPADHYE, J.

DATE : 07/06/2019

Heard learned counsel for the applicants/appellants.

Perused the application.

There is delay of 2367 days in filing the application for setting aside abatement against respondent No.2. The proposed legal heirs of respondent No.2 is served, but not appeared.

For the reasons stated in the application, delay is condoned, civil application is allowed and abatement is set aside.

CIVIL APPLICATION (CAF) NO. 2489 OF 2018.

Heard learned counsel for the applicants.

Perused the application.

For the reasons stated in the application, civil

application is allowed. The abatement for bringing on record against the respondent No.2 is set aside.

CIVIL APPLICATION (CAF) NO. 2490 OF 2018.

Heard learned counsel for the applicants.

Perused the application.

There is delay of 2367 days in filing the application for bringing on record legal heirs of respondent No.2. The proposed legal heirs of respondent No.2 is served, but not appeared.

For the reasons stated in the application, delay is condoned and civil application is allowed.

CIVIL APPLICATION (CAF) NO. 2491 OF 2018.

Heard learned counsel for the applicants.

Perused the application.

For the reasons stated in the application, civil application is allowed. The legal heirs of respondent No.2 be brought on record within stipulated time.

JUDGE