

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

CIVIL APPLICATION (CAS) NOS. 1419 AND 1420 OF 2017
IN
SECOND APPEAL NO. 361 OF 2004

Bhagwandas Haridasji Jawandhia and others.

V/s
Vishnu Mahadeo Holey

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

Court's or Judge's orders.

Shri B.N. Mohta, counsel for the appellants.

CORAM : ARUN D. UPADHYE, J.
DATE : 24/06/2019.

Heard Shri B.N. Mohta, learned counsel for appellant
No.1.

Learned counsel has submitted that the appellant Nos. 1
and 3 are expired during the pendency of appeal.

There is delay in filing the application for bringing on
record their legal heirs. He further submitted that however, the
legal heirs are not cooperating to the appellant No.2 and therefore,
delay may be condoned and substitution of legal heirs of appellant
Nos. 1 and 3 be allowed.

Civil application is allowed.

CIVIL APPLICATION (CAS) NO. 1420 OF 2017

The proposed legal heirs are served but not appeared.

Perused the application filed by the appellant No.2 for bringing the legal heirs of appellant Nos.1 and 3 on record.

For the reasons stated in the application, civil application is allowed. Legal heirs of appellant Nos. 1 and 3 be brought on record as respondents in the appeal.

Necessary amendment be carried out in the appeal memo.

Civil application is allowed.

JUDGE