

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

CIVIL APPLICATION NO. 137/2019 IN
FIRST APPEAL NO. 530/2008 (DECIDED)

VIDC V/s Rajendra Narayanrao Wagh and others.

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

Court's or Judge's orders.

Mr Amod R. Bhole, counsel for the appellant.
Mr B.D. Bhoyar, counsel h/f Shri M.P. Kariya, counsel for the applicant
(L.R's of deceased respondent No.1).
Mrs Geeta Tiwari, AGP for the respondent Nos. 2 and 3.

CORAM: ARUN D. UPADHYE, J.

DATE: 22-01-2019.

This is an application filed by the applicant Nos. 1 to 3 (legal heirs of respondent No.1) for condonation of delay in filing the application for setting aside abatement, as well as bringing them on record as the legal heirs of respondent No.1.

The appellant as well as respondent Nos. 2 and 3 have no objection, if delay is condoned.

Perused the application. For the reasons stated in the application, delay is condoned. Civil Application is allowed.

CIVIL APPLICATION NO (CAF) No. 138/2019

Heard learned counsel for the parties.

For the reasons stated in the application, the abatement is set aside. Civil Application is allowed.

CIVIL APPLICATION NO (CAF) NO.139/2019

Heard learned counsel for the parties.

Perused the application the death certificate the documents annexed to this application and affidavit filed on record. It appears that applicants are only legal heirs of the deceased-Rajendra Narayanrao Wagh.

For the reasons stated in the application, civil application is allowed. Legal heirs be brought on record. Necessary amendment be carried in the appeal memo within one week.

JUDGE