

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

CIVIL APPLICATION (CAO) NO. 1705 OF 2018
IN
MISC. CIVIL APPLICATION (ST) NO. 17241 OF 2018
IN
SECOND APPEAL NO. 340 OF 2006

Vitthal S/o. Wasudeo Rahate,
..VS..

Shankar Ganbaji Ghumde (dead) through L.Rs. and Ors.,

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

Court's or Judge's orders

Shri A. S. Dhore, Counsel for the applicant/appellant.
Shri H. M. Bobde, Counsel for the respondent Nos.2 and 3.

CORAM : MADHAV J. JAMDAR, J.

DATED : 09th March, 2020

Shri A. S. Dhore, learned counsel for the applicant makes a statement that respondent No.5 has reported to be dead and in spite of best efforts, he could not get information about the legal heirs of the respondent No.5. He states that the appeal be abated against the respondent No.5.

In view of this, appeal stands abated against the respondent No.5.

The Civil Applications are for delay condonation and for restoration of Second Appeal No.340/2006.

Shri H. M. Bobde, learned counsel for the respondent Nos.2 and 3, strongly opposed both these applications.

In view whatever set out in the applications, the applications are allowed in terms of prayer clause (a) subject to appellant paying costs of ₹.500/- (Rupees Five Hundred only) to the respondents.

The matter be listed for admission on 23.03.2020.

JUDGE

Kirtak