

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

CIVIL APPLICATION (CAS) NO. 795 OF 2019

IN

SECOND APPEAL NO. 7 OF 2010

(Bandu S/o Bhusaram Pandharmise through legal heirs & others Vs. Smt. Bayanabai
Wd/o Ganpatrao Totewar)

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

Court's or Judge's orders.

Shri S.A. Sahu, learned counsel for the applicant.
Shri A.M.Quazi, learned counsel for respondent
no.1(c).

CORAM : ANIL S KILOR, J.

DATE : 07th FEBRUARY, 2020.

The present application is filed by the applicants/appellants for condonation of delay in filing the application for bringing the legal representatives of respondent no.8 on record. The learned counsel for the applicants submits that after the notice was issued by this Court on civil application on 20th September, 2019, the proposed legal heirs of respondent no.8 (i) to 8(iii) are served. He further points out that the office note dated 30th January, 2020 shows the services is made on the proposed legal heirs.

2. Today, when the matter was called out none appears for the proposed legal heirs.

3. Shri Quazi, learned counsel for the respondent no.1(c) has no objection for allowing the present application.

4. For the reasons stated in the application, the delay of 719 days in filing the application for bringing legal heirs of respondent no.8 is condoned.

5. The Civil Application is allowed and disposed of.

CIVIL APPLICATION NO. 794 OF 2019

This is an application for setting aside abatement in respect of respondent no.8.

2. Heard learned counsel for the applicant and Shri Quazi, learned counsel for the respondent no.1(c). None appears for other respondents.

3. For the reasons stated in the application, the application is allowed.

4. The application is disposed of.

CIVIL APPLICATION NO. 796 OF 2019

The Applicants have filed this application

for bringing the legal representatives of respondent no.8 on record.

2 For the reasons stated in the application, the application is allowed.

3. The applicants are permitted to bring the legal heirs of respondent no.8 on record.

4. Necessary amendment be carried out in the cause title within a period of one week.

5. Accordingly, the application is disposed of.

SECOND APPEAL NO. 7 OF 2010

Issue notice to the newly added respondents, returnable on 21st February, 2020.

JUDGE