

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.741 OF 2021**

**IN**

**FIRST APPEAL NO.2696 OF 2007**

**1) Sonubai H. Thorat**

**(Since deceased) through legal heirs,**

**2) Laxman Hari Thorat & Ors. ]...Applicants/Appellants.**

**Vs.**

**Pramod N. Samantrai & Ors. ]...Respondents**

**....**

**Miss Dharini Jain i/b Mr.A.J. Ahuja for the applicant/appellant.**

**Miss Asha N. Gunjal i/b Mr.Rameshwar Gite for respondent no.1.**

**....**

**CORAM : PRITHVIRAJ K. CHAVAN, J.**

**DATE : 17TH MARCH, 2021.**

**PC. :**

1. This is an application for bringing the legal representatives of the deceased Sonubai Hari Thorat who is said to have expired on 15<sup>th</sup> August, 2019. Delay of 85 days has been occurred in preferring the application for bring the legal representatives on record. It is submitted by the learned Counsel for the applicant that delay has been occurred for the reason that father of the appellant's Advocate was hospitalized and had expired on 30<sup>th</sup> September 2019. For the reasons stated in the application, the delay is condoned.

2. Abatement is set aside.
3. Since the legal representatives of the deceased Sonubai Hari Thorat are already on record, namely applicant nos.2, 3 and 4, prayer to amend cause title of memo of appeal and application is permitted by deleting the name of deceased Sonubai Hari Thorat.
4. Necessary amendment be carried out within one week.
5. After amendment, amended copies be supplied to the contesting parties.
6. Application stand disposed of.
7. No order as to costs.

**[PRITHVIRAJ K. CHAVAN, J.]**

