

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

CIVIL APPLICATION (CAO) NO.58 OF 2021
IN
MISC. CIVIL APPLICATION STAMP NO.578 OF 2021
IN
FIRST APPEAL NO.1185 OF 2008(D)

Pappu Devidas Deshmukh (since deceased through legal heir) Seems wd/o Pappu @
Chandrashekhar Deshmukh and others
Vs.
Savitribai Makkhan Dhurve 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. P. S. Tembhare, Advocate for applicants.
Mr. M. A. Kadu, Advocate for non-applicant Nos.1 to 2.

CORAM : AVINASH G. GHAROTE, J.
DATE : 28/10/2021

Civil Application No.58 of 2021

Civil Application (CAO) No.58 of 2021 filed by the legal heirs of the deceased appellant No.1 and the appellant No.2, seeks to condone the delay in setting aside the order dated 13.09.2019, by which the appeal came to be dismissed in default.

Heard Mr. Tembhare, learned counsel for the applicants and Mr. Kadu, learned counsel for respondents. Considering the reason given in the application, delay is condoned.

Office to register the Misc. Civil Application Stamp No.578 of 2021.

Civil Application stands disposed of.

Misc. Civil Application St. No.578 of 2021

Misc. Civil Application Stamp No.578 of

2021 filed by the legal heirs of the deceased appellant No.1 and the appellant No.2, seeks to restore the First Appeal by setting aside the order of dismissal in default dated 13.09.2019, which came to be passed as no steps were taken to bring the legal heirs of the deceased appellant No.1 on record. Considering the reasons given in the application, the same is allowed.

First Appeal No.1185 of 2008 is restored to file.

**Civil Application (CAO) No.59 of 2021,
Civil Application (CAO) No. 60 of 2021
and Civil Application (CAO) No.61 of 2021.**

Civil Application Nos.59 of 2021, 60 of 2021 and 61 of 2021 have been filed by the legal heirs of the deceased appellant No.1 and the appellant No.2, for condonation of delay in bringing legal heirs of deceased appellant No.1 on record, setting aside abatement and bringing legal heirs on record.

Considering that the matter is reported to have been settled between the parties as per the statement made by Mr. P. S. Tembhare, learned counsel for the applicants. The civil Applications are allowed.

The legal heirs be brought on record forthwith by carrying out the amendment today itself.

The copy of the settlement be placed on record. List the matter thereafter.

JUDGE