

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

CIVIL APPLICATION (CAS) NOS. 674/2021 AND 675/2021 IN
SECOND APPEAL NO. 172/2014

Shamrao s/o Ramlu Pailwar and others. V/s Smt Kantabai wd/o Ganpatrao Borkuntwar and others.

 Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's Orders

Shri Amol Mardikar, Advocate for appellant Nos.2 to 4.
 Shri A.D. Dangore, Advocate for applicant.

CORAM : S.M. MODAK, J.
DATE : 27/10/2021.

Appellant No.1/Shamrao Ramlu Pailwar expired on 11/01/2015. Photocopy of the death certificate is annexed. These two applications are filed by two sons and two daughters of the deceased - Shamrao. Their details are given as Appellant Nos. 4(a) to 4(d).

2. The deceased - Shamrao was also having one son by name Shankar Shamrao Pailwar. Initially, there were four appellants. The appellant No.1 was deceased – Shamrao, whereas one of his son-Shankar was appellant No.4. This Court, as per the order dated 26/02/2016 passed on civil application No. 942/2015 was pleased to delete the name of appellant No.1- Shamrao. The learned Advocate for these proposed legal heirs of deceased-appellant No.1 contend that they are not aware about that civil application, whereas learned Advocate Shri Amol Mardikar is representing the appellant Nos.2 to 4. Yet, the respondents are not served of this civil application. The applicants to serve copy of this application on the respondents through their counsel. Copy be also given to the present appellants.

3. Matter be kept after filing of reply.
4. Oral request to add the delay of 2070 days in the prayer clause of Civil Application (CAS) No. 674/2021 is allowed.
5. Matter be kept on 16/12/2021.

JUDGE

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