

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

Civil Application (CAS) No.469/2021
AND
Civil Application (CAS) No.470/2021
AND
Civil Application (CAS) No.471/2021
IN
Second Appeal No.450/2016

Kunda Pramod Ukey & Ors. **Vs.** Shrihari Vishwanath Bhagat & Ors.

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

Court's or Judge's Orders

Shri R.V. Gaikwad, Advocate for the Appellants.
 Shri N.B. Kalwaghe, Advocate for Respondent Nos.1 to 3.

CORAM : S.M. MODAK, J.
DATE : 21st SEPTEMBER, 2021.

Respondent No.1 expired on 7th October, 2020.
 Photocopy of the death certificate is annexed. The details of his legal representatives are given in Pursis Stamp No.03/2021.

02] There is a delay in filing application for setting aside the abatement in bringing on record the legal representatives of deceased respondent No.1.

03] Learned Advocate Shri Kalwaghe waives notice for the legal representatives of deceased respondent No.1. He is not objecting for all these reliefs. Hence, the order:-

ORDER

- i. All civil applications are allowed.
- ii. Delay caused in filing an application for setting aside abatement and for bringing on record the legal

representatives of respondent No.1 is condoned.

- iii. The name of deceased respondent No.1-Shrihari Vishwanath Bhagat be deleted and the names of his legal representatives be taken on record.
- iv. Amended copy be served on the respondents.
- v. All civil applications are disposed of.

04] Learned Advocate Shri Kalwaghe also waives notice for the proposed legal representatives of respondent No.1 on appeal also.

05] Amendment be carried out forthwith.

06] Matter be kept after four weeks.

JUDGE

vijay