

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

CIVIL APPLICATION (O) NO. 665 OF 2021
AND
CIVIL APPLICATION (O) NO. 664 OF 2021
IN
FAMILY COURT APPEAL NO. 24 OF 2014

SOU. MANASI SIRAS W/O DR. SRINIVAS SIRAS @ PRABHA KAVIMANDAN

VERSUS

DR. SRINIVAS S/O RAMCHANDRA SIRAS (DEAD) THROUGH LRS SHRI NARAYAN RAMCHANDRA
SIRAS AND OTHERS

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

Court's or Judge's orders

Smt. S. P. Deshpande, Advocate for applicant /appellant.
Ms. P. Mudholkar, Advocate h/f Shri T. D. Mandlekar, Advocate respondent
Nos.1(A) to 1(F), 2(A) to 2(D), 1(4), 4 & 5.

CORAM : A.S. CHANDURKAR AND G. A. SANAP, JJ.

DATE : 25/10/2021.

Heard learned Advocate for the applicant/appellant.

The appellant died on 14/08/2021. The legal heirs of the appellant have made two applications. The Civil Application No.664/2021 is made for setting aside the abatement of the appeal. The Civil Application No.665/2021 has been made for bringing on record the applicants being legal heirs of the deceased - appellant. The application for bringing on record the legal heirs made on 13/10/2021 is within 90 days from the death of the appellant. The application is within limitation. Since the application for bringing on record the legal heirs is within limitation, the application made for setting aside the abatement was not necessary.

Accordingly, the application for bringing on record the Applicant Nos.1 to 3 being legal heirs of the deceased - appellant is allowed. Necessary amendment be carried out in terms of the above order within one week.

Both the applications stand disposed of.

(G. A. SANAP, J.)

(A.S. CHANDURKAR, J.)