

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

**Civil Application [CAS] No.75 of 2019**  
**with**  
**Civil Application [CAS] No.76 of 2019**  
**in**  
**Second Appeal No.600 of 2004**

Nandkumar Shridhar Tambekar  
 vs.  
 Arvind Purushottam Tambekar & another

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

Court's or Judge's Orders

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Shri Y.J. Chandurkar h/f Shri J.J. Chandurkar, Advocate for the  
 Applicant/Appellant.

**CORAM : S.M. MODAK, J.**  
**DATE : 28<sup>th</sup> JULY, 2021.**

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

Respondent No.1 expired on 12/09/2016. The appellant got knowledge through the learned Counsel for respondent No.1. Thereafter, the present applications are filed. There was a delay of 727 days in preferring the application for bringing the legal heirs on record. The delay is satisfactorily explained. Hence the order :

**ORDER**

- The delay caused in moving the application is condoned.
- The name of respondent No.1 be deleted and his legal representatives be brought on record by carrying out necessary amendments.

- Dismissal of appeal against respondent No.1 is set aside.
- The applications are disposed of.

**Second Appeal No.600/2004 :**

Heard.

Issue notice to the legal representatives of deceased respondent No.1 for final disposal, returnable on 6<sup>th</sup> September, 2021.

Copy of private paper-book be supplied to them.

**JUDGE**

*\*sandesh*