

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 498 OF 2020****IN****CIVIL APPLICATION NO. 4654 OF 2013****IN****FIRST APPEAL NO. 507 OF 2014****IN****B.C.C.C. S.C. SUIT NO. 1469 OF 2003****SHRI. JAYNATH RAM ABHILAKH****PANDEY****} APPLICANT****V/S.****SHRI. DAYANATH RAMRAJ PANDEY****(SINCE DECEASED) THROUGH HEIRS } RESPONDENTS***** * * *****Mr. Mukesh S. Dubey, Advocate for the applicant.****Mr. Mukesh Gupta i/by. Mr. Raju Gupta, Advocate for
respondent no.1.****Coram : Sandeep K. Shinde, J.****Friday, 1st April, 2022.****P.C. :**

1) Pending Appeal, respondent no.1-Dayanath Ramraj Pandey, passed away. This application is moved to bring the legal representatives on record, of which particulars are stated in the Schedule to the application.

- 2) Heard learned Counsel for the parties.
- 3) For the reasons stated in paragraphs-4 and 5 of the application, the delay caused in preferring the application is condoned. As a result, the order abating the Appeal against deceased respondent no.1-Dayyanath Ramraj Pandey, is set aside. The application is allowed in terms of prayer clauses (a) and (b).
- 4) Consequential amendments to be carried out within two weeks from today.
- 5) The Interim Application is disposed of.

NEETA
SHAILESH
SAWANT

Digitally signed by
NEETA SHAILESH
SAWANT

Date: 2022.04.05
17:56:25 +0530

(Sandeep K. Shinde, J.)