

Dusane

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 3215 OF 2021
IN
CIVIL REVISION APPLICATION (ST) NO.8494 OF 2021**

Sudhakar Bhimshankar Karande ...Applicants
(deceased) thru LRs Surekha
Karande & Anr.

V/s.

Ram Mahadeo Sarvade & Anr. ...Respondents

BHALCHANDRA
GOPAL
DUSANE

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Mr. Ajit V. Alange for Applicants
Mr. Laxman Jain for Respondents.

**CORAM: MADHAV J. JAMDAR, J.
DATE: 1st DECEMBER, 2022**

P.C.:

- 1.** Heard learned Advocate appearing for the respective parties.
- 2.** This Interim Application is seeking condonation of delay of 389 days in filing the Civil Revision Application.
- 3.** The impugned judgment and decree is passed on 22nd November 2018. It is the contention of the Applicants that at that time, original Appellant/Defendant i.e. Sudhakar Karande

was suffering from various ailments and thereafter he died on 24th October 2019.

4. It is the further contention of Applicants that Applicant no. 1 is housewife and Senior Citizen and Applicant no.2 is the rickshaw driver. There is affidavit-in-reply filed denying the aforesaid contentions, however, no material has been produced alongwith affidavit-in-reply which will controvert the contentions raised in the Affidavit-in-reply. Therefore, for the reasons set out in the Interim Application, the same is allowed in terms of prayer clause (b).

5. At the request of learned Advocate appearing for the Respondents, CRA is adjourned to **25th January 2023**.

(MADHAV J. JAMDAR, J.)