

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

CIVIL APPLICATION (CAS) NOS. 795/2022, 796/2022 AND 797/2022
IN
SECOND APPEAL NO. 81 OF 2011

Vijay S/o. Pandurangji Rangewar

...**VERSUS**...

Mr. Jaishingh S/o. Babusingh Bhardwaj and ors.

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

Court's or Judge's order

Shri N.B.Jawade, Advocate for appellant.

Shri S.S.Sohoni, Advocate for respondent no. R-1(i, iii to vi).

CORAM : SMT. M. S. JAWALKAR, J.

DATE : 09th NOVEMBER, 2022

After issuance of notice in the applications for setting aside abatement against respondent no. 1, condonation of delay in setting aside abatement & bringing legal heirs of respondent no. 1 on record and also in the application for bringing legal heirs of respondent no. 1 on record, Shri S.S. Sohoni, learned counsel appears for all the legal heirs of respondent no. 1 except legal heir no. (ii). He opposes all the applications.

2. It is submitted that due to Covid-19, delay has occurred in filing the applications for setting aside abatement and for bringing legal heirs of respondent no. 1 on record. As such, I am satisfied that there is bonafide reason for delay in filing the aforesaid applications.

3. For the reasons stated in the applications, the applications are allowed. Delay is hereby condoned, abatement is set aside and

permission is granted to the appellant to bring on record the proposed legal heirs of respondent no. 1. Necessary amendment to be carried out within a week.

4. Accordingly, the applications are disposed of.
5. List the Second Appeal after two weeks for final hearing.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar