

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

CAF No.870/2018 in First Appeal st No.23283/2014

MIDC V Smt. Shantabai and others

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

Court's or Judge's Orders

Mr. P.L. Sagdeo, Advocate h/f Mr. M.M. Agnihotri, Advocate for appellant.
 Ms Mansi Kadu, Adv h/f Mr. Sanket Puranik, Advocate for resp. nos. 3 to 9.
 Mr. M.A. Kadu, AGP for resp. nos.10 and 11.

CORAM : AVINASH G GHAROTE, J.

DATE : 30-11-2022

Civil Application (F) No. 2668/2022 is for speaking to minutes in respect of order dated 10-11-2022. Since the application for condonation of delay is yet to be decided, the Reference in para 4 of the order dated 10-11-2022 to F.A. St.No.23283/2014 shall be construed as reference to the Civil Application (F) No.621/2022. The application is therefore allowed.

2. The corrected or be uploaded.

3. Civil Application (F) No. 621/2022, seeks condonation of delay of 2571 days in setting aside abatement in bringing the legal heirs of deceased respondent nos. 1 and 2 on record. On perusal of the memo of appeal it is evident that the respondent nos. 3 to 9 are also the Lrs of respondent nos. 1 and 2 and are already on record and therefore the deceased respondent nos. 2 and 3 as well as their estate is adequately represented, considering which, there is no delay at all. In view of which the application, though not necessary, is allowed.

Civil Application (F) No.622/2022.

For the same reason, the abatement is set aside.

Civil Application (F) No.623/2022, seeks to bring on record the remaining legal heirs of the deceased respondent nos.1 and 2. Though the application is objected by learned Counsel for the respondent nos. 3 to 9 and learned AGP for respondent nos. 10 and 11, however, considering that the respondent nos. 3 to 9 are already on record, the application is allowed. The addition be carried out forthwith.

JUDGE

Deshmukh