

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

CIVIL APPLICATION (CAS) NO. 341/2022 IN
SECOND APPEAL NO. 323/2019

Shri Purushottam S/o Tukaram Ambarwele
Vs.

Shri Mahadeo S/o Tukaram Ambarwele and others

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

Court's or Judge's orders

Shri Abhijeet Khare, Advocate for appellant
Shri Karan Bhende, Advocate h/f Shri A.S. Dhore, Advocate for respondent No.1

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

DATE : 30/11/2022

Present application is filed for condonation of delay, setting aside abatement and for grant of permission to bring on record legal representatives of respondent No.2.

2. In spite of service none appears for the proposed legal representatives of respondent No.2. It is submitted that in view of the Apex Court's order extending limitation, there is no delay as such. However by way of abundant precaution, the present application is filed for condonation of delay. As such there is no impediment for condoning the delay in filing application for setting aside abatement and bringing legal representatives of respondent No.2. Hence, the application is allowed.

3. Delay in filing application is hereby condoned. Abatement is set aside. Permission is granted to bring legal representatives of respondent No.2 on record.

4. Necessary amendment to be carried out within one week.

5. After amendment is carried out, issue notice to the newly added legal representatives.

6. The application is disposed of.

(SMT. M.S. JAWALKAR, J.)