

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

CIVIL APPLICATION (CAS) NO.915/2022

IN

SECOND APPEAL NO.348/2015

Smt. Annapurnabai wd/o Mahadeo Gaoli (dead) through Lrs. Laxmanrao s/o
 Arjunrao Bunde

Vs.

Pancham s/o Mahadeo Gaoli (dead) through Madhav s/o Pancham Gaoli and others

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

Court's or Judge's orders

Shri V.M. Gadkari, Advocate for appellant

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

DATED : 13/10/2022

The present application is filed by the applicants for setting aside abatement as their right to sue survive. However, application could not be filed within limitation.

2. For the reasons stated in the application, the application is allowed.

3. Abatement is hereby set aside.

4. The application is disposed of.

CIVIL APPLICATION (CAS) NO.916/2022 WITH

CIVIL APPLICATION (CAS) NO.917/2022

Civil application No.916/2022 is filed for condonation of delay of 470 days in filing the application for bringing legal representatives of appellant on record. Civil Application No.917/2022 is filed for bringing the legal representatives of appellant

on record. The delay is caused due to COVID-19 pandemic situation and therefore, they could not communicate to the learned Counsel for taking steps to file application.

2. I am satisfied that there is sufficient cause for condoning the delay. There is no intention or deliberate delay in filing application. As such application is allowed. The delay in filing application for bringing the legal representatives of appellant on record is hereby condoned.

3. The applicants are permitted to substitute their names as legal representatives on record.

4. Necessary amendment to be carried out within two weeks.

5. The applications are disposed of.

JUDGE

R.S. Sahare