

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

**CIVIL APPLICATION (CAS) NO. 451 OF 2020**  
**IN**  
**SECOND APPEAL NO. 260 OF 2015**

Shrikrishna S/o. Ajabrao Sultane

...**VERSUS**...

Ramkrishna S/o. Manikrao Pande and ors.

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

*Court's or Judge's order*

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Dr. Renuka S. Sirpurkar, Advocate for appellant.

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

**DATE : 01<sup>st</sup> DECEMBER, 2022**

The present application is filed for condonation of delay in bringing the legal heirs of deceased respondent no. 2 on record and for setting aside abatement.

2. In spite of service, none appears for the proposed legal heirs.

3. There is delay of 375 days in bringing the proposed legal heirs of respondent no. 2 on record, as the appellant recently came to know the fact about the death of respondent no. 2, when the appellant received the notice in the matter from the Registrar (Judicial) of this Court. In view of the reasons stated in the application, the application is allowed. Delay in filing application for bringing the legal heirs of deceased respondent no. 2 on record is hereby condoned and abatement is set aside. Accordingly, the application is disposed of.

**CIVIL APPLICATION (CAS) NO. 452 OF 2020**

The present application is filed for bringing the legal heirs of respondent no. 2 on record.

2. For the reasons stated in the application, application is allowed. Permission is granted to the appellant to bring on record the names of legal heirs of respondent no. 2. Necessary amendment to be carried out within one week. Accordingly, the application is disposed of.

3. After necessary amendment is carried, issue notice to the legal heirs of respondent no. 2, returnable on 19/12/2022.

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

B.T.Khapekar