



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 4654 OF 2023
IN
FIRST APPEAL NO. 1989 OF 2005

Hari Ram Parsottam ... Applicant

IN THE MATTER BETWEEN

Hari Ram Parsottam ... Appellant
Versus

Vibhuti Narayan Satya Narayan Mishra
(Deceased) through His Legal Heirs
Munna Vibhuti Narayan Mishra & Anr. ... Respondents

.....
Mr.Omprakash Pandey a/w Ms. Suchita Pandey i/b M/s. Pandey and
Co., for the Applicant.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 29th AUGUST, 2023.

P.C.

This is an application for bringing the legal representatives of
deceased respondent No.1-Vibhuti Narayan Satya Narayan Mishra.

2 Learned Counsel has invited my attention to the postal
remark depicting that the respondent died. Delay of 2 years and
201 days occurred in moving the application. He, *inter alia*, prays
for setting aside the abatement.

3 For the reasons stated in the application, the application is allowed in terms of prayer clauses (a) and (b) and the schedule annexed with the application.

4 Applicant shall carry out the amendment within two weeks.

5 After effecting the amendment, the amended copy of the memo of appeal be furnished to the learned Counsel for the respondents.

6 Application stands disposed of with no order as to costs.

[PRITHVIRAJ K. CHAVAN, J.]