



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

CIVIL APPLICATION (CAS) NO. 187 OF 2022
IN
SECOND APPEAL NO. 314 OF 2015

SUJATA W/O. CHANDRABHAN SALODKAR AND ORS.

...VERSUS...

STATE OF MAHARASHTRA, THR. ITS UNDER SECRETARY, REVENUE AND FORESTS DEPARTMENT, MANTRALAYA
MUMBAI AND ORS.

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

Court's or Judge's order

Ms. Sakshi Agrawal, Advocate h/f. Shri S.V. Bhutada, Advocate for appellants.
Ms. Prachi Joshi, AGP for respondent nos. 1 to 5.

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

DATE : **23rd OCTOBER, 2023**

In spite of service, none appears for the proposed legal heirs of respondent no. 7.

2. The present application is filed for condonation of 1487 days' delay in filing the application for setting aside abatement and for bringing the legal heirs of respondent no. 7 on record.

3. It is submitted that the appellants were not aware about the death of respondent no. 7 and therefore, delay is caused in filing the application for setting aside abatement and for bringing the legal heirs of respondent no. 7 on record.

4. For the reasons stated in the application, the application is allowed. Delay in filing the application for setting aside abatement and for bringing the legal heirs of respondent no. 7 on record is hereby condoned and abatement is set aside.

5. Accordingly, the application stands disposed of.

CIVIL APPLICATION (CAS) NO. 578 OF 2021

The present application is filed for bringing the legal heirs of deceased respondent no. 7 on record.

2. In spite of service, none appears for the proposed legal heirs of respondent no. 7.

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

4. The appellants are permitted to bring the names of legal heirs of respondent no. 7 on record.

5. Necessary amendment to be carried out within a period of two weeks.

6. Accordingly, the application stands disposed of.

SECOND APPEAL NO. 314 OF 2015

After amendment is carried out, issue notice to the legal heirs of respondent no. 7 on merits.

2. The appellants to file private paper book within twelve weeks.

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

B.T.Khapekar