

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

CIVIL APPLICATION (CAS) NOS. 122/2021 AND 123/2021
IN
SECOND APPEAL NO. 433 OF 2010

NATTHU S/O MAHADEORAO THAOKAR (DEAD) THR. LRS. SMT. MANGALA WD/O NATHU THAOKAR AND
ANR.

...VERSUS...

SHRI RAGHUNATH KOLBAJI KALAR (DIED AND SUBSTITUTED) SMT. KAUDIBAI RAGHUNATH KALAR AND
ORS.

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

Court's or Judge's order

Shri S.A. Kalbande, Advocate for appellants/applicants.

Shri M.R. Joharapurkar, Advocate for respondent nos. 5(A) to 5(D).

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

DATE : 27th MARCH, 2023

Civil Application (CAS) No. 123/2021 is filed for condonation of delay in filing application for setting aside abatement and for bringing the legal heirs of respondent nos. 5(A) on record.

2. Civil Application (CAS) No. 122/2021 is filed for setting aside abatement and for bringing the legal heirs of respondent nos. 5(A) on record.

3. Shri M.R. Joharapurkar, learned counsel waives notice for legal heirs of respondent no. 5(A). He has no objection to bring the legal heirs of respondent no. 5(A) on record. As such, both the applications are allowed.

4. Delay is hereby condoned, abatement is set aside and permission is granted to bring the legal heirs of respondent no. 5(A) on record.

5. The appellants/applicants to carry out necessary amendment within two weeks.
6. Accordingly, both the applications are disposed of.

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

B.T.Khapekar