

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

CIVIL APPLICATION (CAO) NO. 560 OF 2019
IN
CIVIL APPLICATION (CAO) NO. 957 OF 2017
IN
MISC. CIVIL APPLICATION (ST.) NO. 13632 OF 2017 (Restoration)
IN
REJ. MISC. CIVIL APPLICATION NO. 545 OF 2017
IN
SECOND APPEAL NO. 443 OF 2002

Shri Udebhan S/o. Bajirao Galbale and anr.

...VERSUS...

Sukhdeo S/o. Bajirao Galbale (dead) thr. LRs. Meghawarna Sukhdeo Galbale 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 V.R.Thote, Advocate for appellant no. 2.

Shri Yash Maheshwari, Advocate for respondent nos. 1(a), 2(a) to 2(c), 3(a) to 3(c)
& 4 and 8.

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

DATE : 16th JANUARY, 2023

The present application is filed for condonation of delay in filing application for bringing the legal heirs of appellant no. 1 on record and setting aside abatement.

2. It appears that, for want of knowledge about the legal procedure, no application was moved earlier for bringing the legal heirs of appellant no. 1 on record. There is delay of 317 days. As such, application is allowed. Delay in filing application for bringing the legal heirs of appellant no. 1 on record is hereby condoned and abatement is set aside.

3. Accordingly, the application stands disposed of.

CIVIL APPLICATION (CAO) NO. 2255 OF 2018

The present application is filed for bringing the legal heirs of appellant no. 1 on record. The names of legal heirs of appellant no. 1 are mentioned in para no. 1 of the present application.

2. For the reasons stated in the application, application is allowed. Permission is granted to bring the names of legal heirs of appellant no. 1 on record as the right to sue survives. Accordingly, the application stands disposed of.

3. Necessary amendment to be carried out within one week.

4. List the matter on 23/01/2023.

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

B.T.Khapekar