

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAO) NO. 509/2023 IN
MISC. CIVIL APPLICATION ST. NO. 4427/2023 IN
FIRST APPEAL NO. 1301/2017

The Chief Officer, Municipal Council, Gondia, Thr Its Chief Officer
Vs
Santosh S/O. Dhekalprasad Patle And Others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr Shahu, counsel h/f Mr M.I. Dhattrak, counsel for the applicant/
appellant

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 06/04/2023.

1. Heard.
2. This is an application for setting aside the abatement order.
3. As per the contention of the appellant, respondent No.5- Smt. Sarojini Deoram Bisen expired on 26/5/2017. However, the appellant was not aware about the same. After the notice report, the appellant came to know about her death and therefore, the application was not filed for bringing the legal representatives on record.
4. In view of the reasons mentioned in the application, there is sufficient and reasonable cause for setting aside the abatement order.
5. Civil application is allowed and disposed of. The abatement order is set aside

Civil Application No. 510/2023

1. The present application is for condonation of delay which is caused in bringing the legal representatives of respondent No.5 on record.
2. In view of the reasons mentioned in the application, respondent No.7- Radhabai Patle expired on 07/11/2020, and respondent No.5 -Smt. Sarojini Deoram Bisen expired on 26/05/2017. However, the appellant was not aware about the same and for want of knowledge, the application was not filed to bring the legal representatives on record. Therefore, the delay of 1400 is caused in bringing the legal representatives on record.
3. In view of the reasons mentioned in the application, the delay of 1400 days is condoned.

Civil application is disposed of.

CIVIL APPLICATION (CAO) NO. 511/2023

1. The present application is for bringing legal representatives of respondent No.5 on record.
2. In view of the reasons mentioned in the application, the appellant is permitted to carry out the amendment by bringing the legal representatives of respondent No.5 on record.
3. The legal representatives of respondent No.7 are already on record
4. In view of that civil application is disposed of.

CIVIL APPLICATION (CAO) NO. 512/2023

1. The present application is for correcting the name of respondent No.6.
2. In view of the reasons mentioned in the application and considering that inadvertently the name of respondent No.6 is incorrectly mentioned, the name of respondent No.6 after marriage is Smt Pushpalata w/o Suresh Rinayat
3. In view of that appellant is permitted to correct the name of respondent No.6 as Smt Pushpalata w/o Suresh Rinayat in the cause title.

Civil Application is disposed of.

JUDGE