

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

FIRST APPEAL NO.911 OF 2014

[V.I.D.C. ..V/s.. Vyankat Martandrao Shigne and Ors.]

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

Court's or Judge's order

Mr A. Parihar, Advocate for Appellant.
Ms K. S. Narwade, Advocate for Respondent No.1.
Mr M. A. Kadu, AGP for Respondent Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.

DATE : 4th MAY, 2023.

. Appellant to file paper-book in legal size papers. In MCA No.21 of 2023 in First Appeal No.1041 of 2014, MCA No.300 of 2022 in First Appeal No.948 of 2014 and MCA No.302 of 2022 in First Appeal No.912 of 2014, the appellant to deposit the costs within one week.

2. Stand over after vacation.

**CIVIL APPLICATION (O) NO.413 OF 2023 IN CROSS
OBJECTION NO.58 OF 2017.**

3. This application is for condonation of delay and for setting aside the abatement order.

4. As per the contention of the appellant, the appellant was not aware about the death of respondent No.1, and therefore, he could not take necessary steps, therefore, the delay of 1897 days is caused in preferring the appeal.

5. In view of the reasons mentioned in the application, the application is allowed. The delay of 1897 days is hereby condoned and the abatement order passed against the respondent No.1 is set aside.

6. The civil application is disposed of.

**CIVIL APPLICATION (O) NO.414 OF 2023 IN CROSS
OBJECTION NO.58 OF 2017.**

7. In view of the reasons mentioned in the application, the appellant is permitted to bring the legal heirs of respondent No.1 on record.

8. Appellant to carry out the amendment within the stipulated period.

9. The civil application is disposed of.

JUDGE