



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

CIVIL APPLICATION (CAS) NO. 647 OF 2023
IN
SECOND APPEAL NO. 562 OF 2005

SMT MATHURABAI ATAMARAM DHENGAL AND ORS.

...VERSUS...

SAKHARAM MOTIRAM THAKRE 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 C.A.Joshi, Advocate for appellants/applicants.

Shri Omkar Ghare, Advocate h/f. Shri A.M.Ghare, Advocate for respondent no. 1.

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

DATE : 19th DECEMBER, 2023

Heard.

2. The present application is filed for condonation of delay in filing application for bringing legal heirs of deceased respondent no. 1(A) on record.

3. It is contended that this matter was listed before Registrar on 27/04/2023 and that time, it was noticed that the respondent no. 1(A) has expired on 04/06/2021. In view thereof, delay has been caused.

4. In spite of service to the proposed legal heirs of respondent no. 1(A), none appears for them.

5. For the reasons stated in the application, the application is allowed. Delay in filing application for bringing legal heirs of respondent no. 1(A) on record is hereby condoned.

6. Accordingly, the application stands disposed of.

CIVIL APPLICATION (CAS) NOS. 648/2023 & 649/2023

The present applications are filed for setting aside abatement and for bringing the legal heirs of respondent no. 1(A) on record.

2. For the reasons stated in the application, the applications are allowed. Abatement is set aside and the applicants are permitted to bring the legal heirs of respondent no. 1(A) on record.

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

4. Accordingly, the application stands disposed of.

SECOND APPEAL NO. 562 OF 2005

After amendment is carried out, issue notice on merit to the proposed legal heirs of respondent no. 1(A).

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