

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**NAGPUR BENCH : NAGPUR****Civil application (CAS) No.752 of 2022****In****Second Appeal No.788 of 2017****SMT. MANDA WD/O CHANDRAKANT PATURKAR AND OTHERS****VS****RAMESH S/O SHRIRAM BELE AND OTHERS**

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

Court's or Judge's Order

Ms Isha Singh, Advocate h/f Shri Samarth, Advocate for the
Applicant/Appellant

CORAM : ANIL S. KILOR, J.**DATED : 13.01.2023**

1. The present application along with the second appeal were listed on 06.01.2023, however, none appears on behalf of the respondents or the proposed legal heirs and therefore, to grant one opportunity, matter was adjourned for today.
2. Today, when the matter was called out, again nobody appears on behalf of the respondents and the proposed legal heirs of the respondent No.2.
3. The present application is for condonation of delay in filing the application for setting aside abatement.

4. After going through the reasons stated in the application for condonation of delay, I find that the delay has been properly explained and sufficient cause is shown for the delay. In the circumstances, the application is **allowed**. The delay is condoned.

The application is **disposed** of accordingly.

**Civil application (CAS) No.751 of 2022 and
Civil application (CAS) No.753 of 2022**

5. These are the applications for setting aside abatement and bringing the legal heirs of respondent No.2 on record.

6. For the reasons stated in the applications for setting aside abatement and bringing the legal heirs of respondent no.2 on record, the applications are **allowed**.

7. Amendment be carried out within one week, failing which the applicant/appellant shall deposit Rs.1000/- as costs with the High Court Legal Services Sub-Committee, Nagpur.

8. All the applications are **disposed** of accordingly.

[ANIL S. KILOR, J.]
Digitally signed by NIRANJAN
K. S. THAWRE
Signing Date: 17.01.2023
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