

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

CIVIL APPLICATION (CAS) NO.227/2022
WITH
CIVIL APPLICATION (CAS) NO.228/2022
WITH
CIVIL APPLICATION (CAS) NO.229/2022
IN
SECOND APPEAL ST. NO.9514/2020

Shri Anil s/o Madhusudan Ghade
Vs.

M/s Deshmukh Mangal Karyalaya A partnership Firm through its partners and others

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

Court's or Judge's orders

Shri A.R. Wagh, Advocate for applicant

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 09/03/2023

The present Civil Application No.227/2022 is filed for setting aside abatement, Civil Application No.228/2022 is filed for condonation of delay in bringing legal heirs on record and Civil Application No.229/2022 is filed for bringing legal heirs on record.

2. It is submitted that due to COVID-19 Pandemic and lock-down in Maharashtra, the legal heirs could not contact to the Counsel. In view thereof, delay of 127 days caused in filing application for bringing legal heirs and setting aside abatement.

3. For the reasons stated in the application, application is allowed. As such, delay in filing application for bringing legal heirs on record is

condoned. Abatement is set aside. The applicants are permitted to add their names in place of deceased appellant as right to sue survive.

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

5. All applications stand disposed of accordingly.

JUDGE

R.S. Sahare