

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

**CAS No.816 of 2022 And CAS No.817 of 2022
In Second Appeal No.196 of 2019**

SHRI RAMBHAU S/O KOTHIRAM MANDHRE

VS

SMT. KAWDABAI WD/O GODRUJI MOHANKAR 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 V.P. Thakre, Advocate for the Applicant/Appellant
Mr. P.S. Thakur h/f Shri N.V. Fulzele, Advocate for the
respondent Nos. 12 to 14

**CORAM : ANIL S. KILOR, J.
DATED : 17th March 2023**

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1. This is an application for condonation of delay in filing the application for bringing legal heirs of respondent No.3 on record and setting aside abatement.
2. Though the proposed legal heirs are served, none appears on behalf of the proposed legal heirs.
3. There is delay of 461 days in filing the application for bringing legal heirs on record. As the other respondents/non-applicants have no objection to allow the present application and the applicants have explained the delay properly and the explanation is found satisfactory and sufficient for condonation of delay, the application is **allowed.**

4. The delay caused in filling application for bringing legal heirs of respondent No.3 on record, is condoned.
5. The application is **disposed of**.

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6. Though the proposed legal heirs of respondent No.3 are served, none appears on behalf of the proposed legal heirs.
7. For the reasons stated in the applicant, the application is **allowed**.
8. Necessary corrections be carried out within one week.
9. The application is **disposed of**.

[ANIL S. KILOR, J.]