

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

CIVIL APPLICATIONS (CAS) NOS. 645/2021, 646/2021 AND 647/2021
IN
SECOND APPEAL NO. 85 OF 2018

NANHU S/O. ANANDI GAUTAM (DEAD) THR. LRS. TUNDILAL S/O. NANHU GAUTAM AND ORS.

...**VERSUS**...

PARASHRAM S/O. RAGHOBAJI THAKRE

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

Court's or Judge's order

Shri M.R.Joharapurkar, Advocate for appellants.

Shri R.M.Pande, Advocate for LR's. of sole respondent.

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

DATE : 28th APRIL, 2023

The present applications are filed for setting aside abatement, condonation of delay in filing application for setting aside abatement and for bringing the legal representatives of sole respondent on record.

2. Shri R.M.Pande, learned counsel waives notice for legal heirs of sole respondent.

3. The learned counsel has no objection if the names of legal heirs of sole respondent are taken on record.

4. For the reasons stated in the applications, the applications are allowed.

5. Delay in filing application for setting aside abatement is hereby condoned, abatement is set aside and permission is granted to bring the proposed legal heirs of sole respondent on record.

6. Learned counsel for the appellants seeks leave to amend the appeal forthwith.

7. Permission is granted. Necessary amendment to be carried out forthwith.

8. Accordingly, the applications stand disposed of.

CIVIL APPLICATIONS (CAS) NO. 623 OF 2023

The present application is filed for grant of permission to add the applicant as appellant no. 7 to the instant appeal.

2. Shri R.M.Pande, learned counsel waives notice for legal heirs of sole respondent.

3. Learned counsel for the legal heirs of sole respondent has no objection for the same.

4. The said request is made in view to put an end to the litigation in respect of all the properties and it is also in the interest of parties. Accordingly, application is allowed. The permission is granted to add the applicant as appellant no. 7 to the instant appeal.

5. Necessary amendment to be carried out forthwith.

6. Accordingly, the application stands disposed of.

CIVIL APPLICATIONS (CAS) NO. 624 OF 2023

The present application is filed by the appellants for addition of parties as respondent nos. 5 and 6.

2. Shri R.M.Pande, learned counsel waives notice for legal heirs of sole respondent and respondent nos. 5 and 6.

3. Learned counsel has no objection if the respondent nos. 5 and 6 are taken on record.
4. For the reasons stated in the application, application is allowed. The permission is granted to add the parties as respondent nos. 5 and 6.
5. Necessary amendment to be carried out forthwith.
6. Learned counsel for respondent nos. 5 and 6 to file 'Vakalatnama' during the course of day.
7. Accordingly, the application stands disposed of.

PURSIS (STAMP) NO. 05 OF 2023

The present joint Pursis is filed by the appellants and the respondents stating that they have intended to enter into a compromise. In view of this, the matter be listed before the Lok Adalat scheduled to be held on 30/04/2023.

2. List the matter before the Lok Adalat on 30/04/2023.

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

B.T.Khapekar