

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

CIVIL APPLICATION (CAA) NOS. 62, 63 & 64 OF 2022
IN
APPEAL AGAINST ORDER (AO) NO. 09 OF 2019

Branch Manager, Nishant Multi State Co-operative Credit Society Ltd., Branch
Ranipse Nagar, Akola and Another
..VS..

Devanand Ramrao Pethkar (Dead) through Legal Heirs and others

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

Court's or Judge's orders

Mr. J.B. Gandhi, Advocate for applicants/appellants.
Mr. A.M. Tirukh, Advocate for respondent No.1(A) & 1(B).

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

DATED : JANUARY 09, 2023

Heard.

2. Present applications have filed by applicants/appellants for setting aside abatement in respect of deceased respondent No.3 and for condonation of delay in filing application for setting aside abatement and for grant of permission to bring legal representatives of respondent No.3 on record. In spite of service of notice on applications on the proposed legal representatives, none appeared for legal representatives of respondent No.3.

3. In view thereof, delay in filing application for setting aside abatement is hereby condoned. Abatement order against respondent No.3 is set aside and permission

is granted to bring legal representatives of respondent No.3 on record. Applications stand disposed of.

4. Necessary amendment be carried out within a week.

5. After necessary amendment is carried out, notice be issued to the Legal Representatives of respondent No.3, returnable within three weeks.

(SMT. M.S. JAWALKAR, J.)

Kirtak