



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

CIVIL APPLICATION (CAS) NO. 789/2019 IN
SECOND APPEAL NO. 87/2010

Nilkant Tukaram Sarokar

Vs.

Keshav Tukaram Mahure and another

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

Court's or Judge's orders

Shri S.N. Chichbankar, Advocate for appellant
Shri A.B. Sonare, Advocate for respondent No.1

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

DATE : 04/10/2023

Heard.

2. Present application is filed for condonation of delay in filing application for setting aside abatement and bringing legal representatives on record. The respondents have no objection to condone the delay. There is delay of 308 days in filing application.

3. For the reasons stated in the application, the application is allowed.

4. Delay in filing application for setting aside

abatement and for bringing legal representatives on record is hereby condoned.

5. Application stands disposed of.

CIVIL APPLICATION (CAS) NO. 788/2019
WITH
CIVIL APPLICATION (CAS) NO. 790/2019

Present applications are filed for setting aside abatement and for bringing legal representatives of deceased appellant on record. As right to sue survives, application is allowed.

2. The counsel for respondents have no objection for allowing said application. Accordingly, abatement is set aside.

3. The applicants are allowed to substitute their names in place of deceased appellant.

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

5. Applications stand disposed of.

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