



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

CIVIL APPLICATION (CAO) NO. 1054/2023

IN

MISC. CIVIL APPLICATION NO. 768/2019

Shital Subhash Bante and others

Vs.

Vijaykumar S/o Maroti Bante and others

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

Court's or Judge's orders

Shri R.M. Pande, Advocate for applicants

Shri V.R. Choudhari, Advocate for non applicants

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

DATE : 29/11/2023

Present application is filed for condonation of delay in filing applications for setting aside abatement and bringing legal representatives of non applicant No.6 on record. In view of submissions in paragraph No.3, the applicant got knowledge of death of non applicant No.6 on 07/08/2023. Though, non applicant No.6, Yashwant died on 13/02/2021, immediately thereafter collecting details of legal representatives of non applicant No.6, application was preferred. As such, I am satisfied that there are sufficient reasons to condone the delay. Accordingly, application is allowed.

2. Delay in filing applications for setting aside abatement and bringing legal representatives of non applicant No.6, is hereby condoned.
3. Application stands disposed of.

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

2. Abatement is set aside.
3. The applicant is permitted to bring legal representatives of non applicant No.6, on record.
4. Necessary amendment to be carried out within a period of two weeks.
5. Application stands disposed of.

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Learned Counsel Shri V.R. Choudhari waives notice for legal representatives of non applicant No.6 and will file Vakalatnama within a period of two weeks.

2. Stand over after two weeks.

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