



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

CIVIL APPLICATION (CAS) NOS. 1405/2023 AND 1406/2023
IN
SECOND APPEAL NO. 115 OF 2020

MILIND S/O. NARAYANRAO BALLAL (MITKARI) AND ORS.

...VERSUS...

SMT. NALINI WD/O. VINAYAKRAO BALLAL (MITKARI) AND ORS.

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

Court's or Judge's order

Ms. Vedikar N. Thakare, Advocate for Lrs. of appellant no. 5(B).
Shri M.R. Joharapurkar, Advocate for respondent nos. 2 to 12 & 14.

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

DATE : **23rd OCTOBER, 2023**

Leave is granted to correct the name of deceased Prashant Gopalrao Wakhede as appellant no. 5(B).

2. Necessary amendment to be carried out forthwith.

CIVIL APPLICATION (CAS) NO. 1405 OF 2023

The present application is filed for condonation of delay in filing applications for setting aside abatement and for bringing the legal heirs of appellant no. 5(B) on record as well as for setting aside abatement. There is delay of 32 days.

2. For the reasons stated in the application, the application is allowed. Delay in filing the applications for setting aside abatement and for bringing the legal heirs of appellant no. 5(B) on record is hereby condoned. Abatement is set aside.

3. Accordingly, the application stands disposed of.

CIVIL APPLICATION (CAS) NO. 1406 OF 2023

The present application is filed for bringing the legal heirs of appellant no. 5(B) on record.

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

3. The appellants are permitted to bring the names of legal heirs of deceased appellant no. 5(B) on record.

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

4. Accordingly, the application stands disposed of.

SECOND APPEAL NO. 115 OF 2020

List the matter for final hearing at the stage of admission on 20/12/2023 at 02.30 p.m.

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

B.T.Khapekar