



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

CIVIL APPLICATION (CAS) NOS. 1180/2023, 1181/2023 AND 1182/2023
IN
SECOND APPEAL NO. 497 OF 2016

JAGANNATH LAXMAN SAYKHEDE (DEAD) THR. LRS. BHASKAR JAGANNATH SAYKHEDE AND ORS.

...VERSUS...

MANGILAL JORAWARMAL MUNOT (DEAD) THR. LRS. MAHENDRA MANGILAL MUNOT AND ORS.

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

Court's or Judge's order

Shri Ku. Sulbha B. Saikhede, Advocate for appellants.

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

DATE : 12th OCTOBER, 2023

CIVIL APPLICATION (CAS) NO. 1181/2023

The present application is filed by the appellants for condonation of delay in filing the applications for bringing the legal heirs of respondent no. 3 on record and for setting aside abatement.

2. In spite of service, none appears for the proposed legal heirs.

3. For the reasons mentioned in para 3 of the application, the application is allowed. Delay of 756 days in filing the applications for bringing the legal heirs of respondent no. 3 on record and for setting aside abatement, is hereby condoned.

4. Accordingly, the application stands disposed of.

CIVIL APPLICATION (CAS) NOS. 1180/2023 AND 1182/2023

The present applications are filed for setting aside abatement and for bringing the proposed legal heirs of respondent no. 3 on record.

2. For the reasons stated in the application, the application is allowed. Abatement is set aside. The appellants are permitted to bring the names of legal heirs of respondent no. 3 on record.

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

4. After amendment is carried out, issue notice to the legal heirs of respondent no. 3 on merits.

5. Accordingly, the application stands disposed of.

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

B.T.Khapekar