

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

CIVIL APPLICATION NO.2895 OF 2022

IN

FIRST APPEAL NO.683 OF 2022

(V.I.D.C. Yavatmal Vs. Sanjay s/o Atmaram Tarte and ors.)

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

Court's or Judge's orders

Ms Anjali Agrawal, Advocate h/f Ms A.S. Athalye, Advocate for the
appellant.

Shri S.V. Ingole, Advocate for respondent Nos.1 to 5.

Ms Shamsi Haider, A.G.P. for respondent Nos.7 and 8/State.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- JANUARY 02, 2023.

Heard.

2. This is an application for condonation of delay which is caused in bringing legal representatives of deceased respondent No.6 on record and for setting aside abatement.

3. As per the contention of the appellant, delay of 2524 days is caused in bringing the legal representatives on record as the learned Counsel for the appellant got the knowledge about the death of respondent No.6 when the respondents filed a Pursis on 29/08/2022 informing that respondent No.6 has expired on 14/08/2016.

4. Considering the reasons mentioned in the application, delay of 2524 days is condoned and the abatement is set aside.

5. The application is allowed and disposed of accordingly.

CIVIL APPLICATION NO.2896/2022

This is an application for bringing legal representatives of deceased respondent No.6 on record.

2. Considering the reasons mentioned in the application, the appellant is permitted to brought on record the legal representatives of respondent No.6 within stipulated time.

3. The application is allowed and disposed of accordingly.

4. Place the matter for further consideration on 16/01/2023.

(URMILA JOSHI-PHALKE, J.)

**Divya*