



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

CIVIL APPLICATION (CAS) NO. 19 OF 2023
IN
SECOND APPEAL NO. 247 OF 2015

PADMAKAR S/O. NARAYAN BHONDE AND ANR.

...VERSUS...

DURGA W/O. ARUNRAO DATIR 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 D.U.Thakare, Advocate for appellants.
Shri S.S.Chopde, Advocate for respondent no. 1.

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

DATE : 12th OCTOBER, 2023

The present application is filed for grant of permission to bring the legal heirs of respondent no. 5 on record by setting aside abatement.

2. It is informed that the respondent no. 5 has expired on 23/09/2022 leaving behind her legal heirs as mentioned in para 2 of the application. It appears that the application is filed on 21/12/2022, which is within limitation. As such, there is no impediment to allow present application for bringing the legal heirs of respondent no. 5 on record. Accordingly, the application is allowed. The appellants are permitted to bring the legal heirs of respondent no. 5 on record.

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

4. Accordingly, the application stands disposed of.

CIVIL APPLICATION (CAS) NO. 655 OF 2022

The present application is filed by the respondent no. 1 for grant of early hearing by fixed date.

2. The learned counsel for respondent no. 1 submits that the respondent no. 1 is not a senior citizen yet. However, she is having some medical issue and she is under medical treatment and guidance.

3. Considering the reasons of ailment so also the matter pertains to year 2015, the application is allowed.

4. List the matter for final hearing in the week commencing from 28/11/2023.

5. Accordingly, the application stands disposed of.

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

B.T.Khapekar