



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.4123 OF 2021
IN
WRIT PETITION NO.4909 OF 1991

Dastagir Munaf Dange

... Applicant.

In the matter between:

Abbas Baban Dange (since deceased through LR)
Najambhai Abbas Dange & Ors.

... Petitioners.

Versus

Shri Allabaksha Baban Dange Decd
Thru Lhrs and Ors.

... Respondents.

Mr. Prafulla B. Shah, for the Applicant.

Mr. Arun H. Palekar, for the Respondent Nos.1 to 9.

Coram : Sharmila U. Deshmukh, J.

Date : October 14, 2024

P. C.:

1. Interim Application has been preferred for bringing on record the legal heirs of the deceased Appellant No.1 and for condonation of delay of 130 days caused in preferring the Application and for setting aside the abatement. Considering that Appellant No.2 is on record and the cause of action survives, learned counsel appearing for the Respondents does not seriously oppose the Application.

2. For the reasons stated in the Application, the delay of 130 days stands condoned and the abatement is set aside. Amendment to be carried out within a period of four weeks. Interim Application stands allowed.

[Sharmila U. Deshmukh, J.]