



)-145-2023

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

CIVIL APPLICATION NOS. 145, 146 AND 147 OF 2023
IN MISC. CIVIL APPLICATION (REVIEW) NO. 258 OF 2018
IN SECOND APPEAL NO. 273 OF 1995 (D)

(Shaligram s/o Bapurao Shrungare (expired) through LRs Vs. Krushnarao w/o Laxmanrao Shingad)

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

Court's or Judge's orders.

Shri J.B. Gandhi, Counsel for the applicants/appellants.
Shri M.G. Sarda, Counsel for non-applicant no. 1(2).

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CORAM : ANIL L. PANSARE, J.
FEBRUARY 5, 2024.

By the present application, the applicants intend to bring on record the legal representatives of the non-applicant, who has expired in February-2018.

2] The learned Counsel for the applicants submits that the exact date of death has been not communicated to him.

3] The learned Counsel for the legal representative would admit that the non-applicant has expired in February-2018.

4] The applicants came to know about this fact in December-2021 upon oral statement made by the learned Counsel appearing for the non-applicant. Thereafter, the applicants have made an attempt to find out as to who are the legal representatives of the non-applicant. The applicants have taken search in the voters list and also made an attempt to contact neighbors and

ultimately succeed in getting their names in the month of December-2022 and thereafter the application has been filed.

5] The learned Counsel for the non-applicant has opposed the application. However, he could not show that the applicants were aware of the names of the legal representatives of the non-applicant prior to the date when the applicants have allegedly obtained those details.

6] In view of above and for the reasons set out in the applications, the same are allowed. The abatement order is set aside. The applicants are permitted to bring on record the legal representatives of the non-applicant. The amendment be carried out within one week from today.

7] The Civil Applications are disposed of.

MISC. CIVIL APPLICATION (REVIEW) NO. 258/2018

8] Issue notice to the non-applicants once amendment is carried out returnable two weeks thereafter.

9] Shri M.G. Sarda, learned Counsel waives notice for non-applicant no.1(2).

(ANIL L. PANSARE, J.)

Sumit