



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

Civil Application (CAS) No. 365 and 366 of 2023

in

Second Appeal No. 72 of 2013

[New English High School Association, having registered office at Dhantoli, Nagpur through it's Secretary Shri Ajeya S/o Prabhakar Rao Dhakras ..vs.. Shri Hari Prasad S/o Laltaprasad Pathak (deceased), State of Maharashtra through Collector, Nagpur and ors.]

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

Court's or Judge's orders

Mr. S. M. Pande, Advocate for the applicant/appellant
Mr. A. B. Mirza, Advocate for the respondent nos. 1(a) to 1(g)
Mrs. H. S. Dhande, AGP for respondent nos. 2 and 3

CORAM : ANIL L. PANSARE J.

DATED : 26-02-2024

By present applications, the applicant/appellant intends to bring on record legal representatives of respondent no. 1. However, there occurred delay of three years in filing application and accordingly, prayer is made to condone delay.

Learned counsel for applicant/appellant submits that respondent no. 1 has expired on 23-8-2019. He has invited my attention to order dated 22-4-2022 wherein learned counsel for respondent no. 1 submitted that he will supply details of legal heirs of respondent no. 1 within a period of one week to the learned counsel for appellant.

Thus details of legal representatives of respondent no. 1 were not available with the applicant/appellant and, therefore, immediate steps have been not taken.

In view of the above and for the reasons set out in the applications, the applications are allowed. Delay

stands condoned. The applicant is permitted to bring on record legal representatives of respondent no. 1.

Necessary amendment be carried out within one week and amended copy be served on other side.

Second Appeal No. 72 of 2013

Issue notice to legal representatives of respondent no. 1, returnable on 12-3-2024.

Learned counsel Mr. A. B. Mirza waives notice for legal representatives of respondent no. 1.

(Anil L. Pansare, J.)

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