



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

Civil Application [CAS] No.459 of 2022
with
Civil Application [CAS] No.460 of 2022
with
Civil Application [CAS] No.461 of 2022
in
Second Appeal No.193 of 2019

Latabai Sarangdhar Ghatol

vs.

Smt. Lelabai Mahadeorao Potdukhe and others

*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

Court's or Judge's Orders

Mr. S.A. Mohta, Advocate for the Applicant/Appellant.

Mr. K.B. Zinjarde, Advocate for Non-Applicant/Respondent No.1.

CORAM : **M.W. CHANDWANI, J.**
DATE : **1st OCTOBER, 2024.**

Heard.

02. By the present applications, the appellant seeks to set aside the abatement order and to condone the delay in bringing the legal heirs of respondent No.5 on record.

03. For the reasons mentioned in the applications, the delay caused in bringing the legal heirs of respondent No.5 on record is condoned. Since the right to sue survives in favour of the legal heirs of respondent No.5, the abatement order is set aside and the appellant is permitted to bring the legal heirs of respondent No. 5 on record.

04. Necessary amendments be carried out within a period of two weeks from today.

05. The civil applications are allowed and disposed of accordingly.

Civil Application [CAS] No.68/2023 :

Heard.

02. By this application, the appellant seeks to bring on record the legal heirs of deceased-respondent No.1.

03. The learned Counsel representing the legal heirs of respondent No.1 has no objection to the application.

04. Since the right to sue survives in favour of the legal heirs of respondent No.1, the legal heirs of respondent No.1 are permitted to be brought on record.

05. Necessary amendments be carried out within a period of two weeks from today.

06. The application is allowed and disposed of accordingly.

JUDGE

**sandesh*