



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

CIVIL APPLICATION (CAF) NOS. 1158 OF 2024, 1159 OF 2024 AND
1160 OF 2024
IN
FIRST APPEAL NO. 704 OF 2021

Sampatlal S/o Ganpatlal Mundhada .VS. State of Maharashtra an another

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

Mr. C.B. Bailmare, Advocate for the appellants
Ms. Prachi Joshi, AGP for respondent No.1/State.
Mr. Tariq Mohammad Zaheer, Advocate for respondent No.2.

CORAM : G.A. SANAP, J.
DATE : APRIL 29, 2024.

Heard.

2. These applications have been made for setting aside the abatement of the appeal and for permission to bring the legal representatives of the deceased appellant on record. The original appellant died on 25.11.2023 and the application for bringing legal heirs was not made within 90 days and, therefore, the appeal has been abated. The application is made on 12.04.2024. The application for setting aside the abatement is within time therefore, the applications are allowed.

3. The abatement of the appeal is set aside.

4. The applicants are allowed to be brought on record in place of original appellant as his legal heirs.

5. Necessary correction/amendment be carried out within two weeks.
6. The applications are **disposed of**.

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7. Stand over after Summer Vacation.

(G. A. SANAP, J.)

Kirtak