



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

CIVIL APPLICATION (CAS) NO.406 OF 2024

AND

CIVIL APPLICATION (CAS) NO.407 OF 2024

IN

SECOND APPEAL NO.321 OF 2009

[Pandurang Khandu Bhagyawant (dead) thr LRs and Ors ..Vs..
Mahadeo @ Mahadu @ Madhav Khandu Bhagyawant (dead) thr LRs]

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

Court's or Judge's order

Mr Y. N. Sambre, Advocate for Appellant Nos.1E(iii-a to iii-c).
Ms V. Thakre, Adv. h/f Mr S. S. Deshpande, Advocate for Respondents.

CORAM : M. W. CHANDWANL, J.

DATE : 11th JUNE, 2024.

. Heard.

2. These applications are for condonation of delay and bringing the legal heirs of deceased respondent No.1F on record.

3. Issue notices to the proposed legal heirs of respondent No.1F, returnable after three weeks.

CIVIL APPLICATION (S) NOS.404, 405, 408 AND 409
OF 2024.

4. Heard learned counsel for applicants/appellants as well as learned counsel for respondents.

5. The appellant No.1E(iii) and appellant No.2B have died on 05.01.2024 and 05.07.2020 respectively. Perusal of the applications shows that there is sufficient cause for not bringing the legal heirs on record within time. Therefore, the delay in bringing the legal heirs on record is condoned. Since

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right to sue survives in favour of the proposed legal heirs, permission is granted to bring on record the legal heirs of deceased appellant Nos.1 E(iii) and 2B. Amendment be carried out within a period of two weeks from today.

6. Accordingly, the applications are disposed of.

SECOND APPEAL NO.321 OF 2009.

7. List the matter after three weeks.

(JUDGE)