



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

CIVIL APPLICATION (CAF) NO.2165 OF 2024 IN
FIRST APPEAL ST. NO.12058 OF 2024

Smt. Mala W/o ramesh Vaidhya and others .Vs. Shri Arvind S/o Shankarrao Dhote
and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri P.M. Jain, Advocate for appellants.

Shri Sharad Thakre, Advocate for respondent Nos.14 to 34.

Mrs Preeti Motghare, Advocate for respondent Nos.36 and 37.

CORAM : SANJAY A. DESHMUKH, J.
DATED : 14/08/2024

1. Issue notice to the remaining respondents.
2. Shri Thakre, learned advocate waives service for the respondent nos.14 to 34 and Mrs. Preeti Motghare, learned advocate waives service of notice for the respondent Nos.36 and 37.
3. The learned advocate for the respondent Nos.14 to 34 submits written notes of argument which are taken on record and marked as 'X1'.
4. The learned advocate for the respondents strongly objected the application.
5. Delay in setting aside abatement is condoned. Abatement is set aside. Permission is granted to bring legal representatives of respondent No.16 on record.

6. Appellant is directed to carry out the amendment within **three weeks**. After amending, amended copy be supplied to other side.

7. Civil application is **disposed of**.

CIVIL APPLICATION (CAF) NO.2168 OF 2024

1. Issue notice to the remaining respondents.

2. Shri Thakre, learned advocate waives service for the respondent nos.14 to 34 and Mrs. Preeti Motghare, learned advocate waives service of notice for the respondent Nos.36 and 37.

3. The learned advocate for the respondents strongly objected the application.

4. Delay in setting aside abatement is condoned. Abatement is set aside. Permission is granted to bring legal representatives of respondent No.18 on record.

5. Appellant is directed to carry out the amendment within **three weeks**. After amending, amended copy be supplied to other side.

6. Civil application is **disposed of**.

CIVIL APPLICATION (CAF) NO.2162 OF 2024

1. Issue notice to the remaining respondents.

2. Shri Thakre, learned advocate waives service for the respondent nos.14 to 34 and Mrs. Preeti Motghare, learned advocate waives service of notice for the respondent Nos.36 and 37.

3. The learned advocate for the respondents strongly objected the application.

4. Delay in setting aside abatement is condoned. Abatement is set aside. Permission is granted to bring legal representatives of respondent No.19 on record.

5. Appellant is directed to carry out the amendment within **three weeks**. After amending, amended copy be supplied to other side.

6. Civil application is **disposed of**.

CIVIL APPLICATION (CAF) NO.2166 OF 2024

1. Issue notice to the remaining respondents.

2. Shri Thakre, learned advocate waives service for the respondent nos.14 to 34 and Mrs. Preeti Motghare, learned advocate waives service of notice for the respondent Nos.36 and 37.

3. The learned advocate for the respondents strongly objected the application.

4. Delay in setting aside abatement is condoned. Abatement is set aside. Permission is granted to bring legal representatives of respondent No.20 on record.

5. Appellant is directed to carry out the amendment within **three weeks**. After amending, amended copy be supplied to other side.

6. Civil application is **disposed of**.

CIVIL APPLICATION (CAF) NO.2164 OF 2024

1. Issue notice to the remaining respondents.

2. Shri Thakre, learned advocate waives service for the respondent nos.14 to 34 and Mrs. Preeti Motghare, learned advocate waives service of notice for the respondent Nos.36 and 37.

3. The learned advocate for the respondents strongly objected the application.

4. Delay in setting aside abatement is condoned. Abatement is set aside. Permission is granted to bring legal representatives of respondent No.24 on record.

5. Appellant is directed to carry out the amendment within **three weeks**. After amending, amended copy be supplied to other side.

6. Civil application is **disposed of**.

CIVIL APPLICATION (CAF) NO.2163 OF 2024

1. Issue notice to the remaining respondents.

2. Shri Thakre, learned advocate waives service for the respondent nos.14 to 34 and Mrs. Preeti Motghare, learned advocate waives service of notice for the respondent Nos.36 and 37.

3. The learned advocate for the respondents strongly objected the application.

4. Delay in setting aside abatement is condoned. Abatement is set aside. Permission is granted to bring legal representatives of respondent No.18 on record.

5. Appellant is directed to carry out the amendment within **three weeks**. After amending, amended copy be supplied to other side.

6. Civil application is **disposed of**.

CIVIL APPLICATION (CAF) NO.2169 OF 2024

1. Issue notice to the remaining respondents.

2. Shri Thakre, learned advocate waives service for the respondent nos.14 to 34 and Mrs. Preeti Motghare, learned advocate waives service of notice for the respondent Nos.36 and 37.

3. The learned advocate for the respondents strongly objected the application.

4. Delay in setting aside abatement is condoned. Abatement is set aside. Permission is granted to bring legal representatives of respondent No.36 on record.

5. Appellant is directed to carry out the amendment within **three weeks**. After amending, amended copy be supplied to other side.

6. Civil application is **disposed of**.

CIVIL APPLICATION (CAF) NO.2167 OF 2024

1. Issue notice to the remaining respondents.

2. Shri Thakre, learned advocate waives service for the respondent nos.14 to 34 and Mrs. Preeti Motghare, learned advocate waives service of notice for the respondent Nos.36 and 37.

3. The learned advocate for the respondents strongly objected the application.
4. Delay in setting aside abatement is condoned. Abatement is set aside. Permission is granted to bring legal representatives of respondent No.37 on record.
5. Appellant is directed to carry out the amendment within **three weeks**. After amending, amended copy be supplied to other side.
6. Civil application is **disposed of**.

CIVIL APPLICATION (CAF) NO.2155 OF 2024

1. This is an application for grant of stay to the impugned judgment and order.
2. Issue notice to the respondents.
3. Shri Thakre, learned advocate waives service for the respondent nos.14 to 34 and Mrs. Preeti Motghare, learned advocate waives service of notice for the respondent Nos.36 and 37.
4. Heard learned advocates for both sides.
5. Perused the application.
6. Considering the peculiar set of facts, there shall be *ad-interim* relief in terms of prayer clause (1) and (2).
7. The learned advocate for the appellant is permitted to serve the respondents by private mode, in addition to regular mode of service.

(SANJAY A. DESHMUKH, J.)