



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CAS NOS.315, 316 AND 317 OF 2022
IN
SECOND APPEAL NO. 7 OF 2013
CHHOTELA S/O ZAGRUSAO GUPTA
VERSUS
ARCHANA WD/O GANESH WASUPATIL 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 A.A. Choube, Advocate for the appellant/applicant

Shri P.V. Ghare, Advocate for the non-applicant/respondent nos.8(A to E)

CORAM : M.W. CHANDWANI, J.

DATE : 25.09.2024

CIVIL APPLICATION No.315 of 2022

1. Heard.
2. For the reasons mentioned in the application, the delay caused in filing the application for setting aside abatement order and bringing legal heirs of the deceased respondent No.8 on record, is **allowed**.
3. Accordingly, the abatement order against the respondent is set aside.
4. Accordingly, the application is **disposed of**.

CIVIL APPLICATION No.316 of 2022

5. Heard.
6. Since right to sue survives against the respondent No.8, the permission is granted to bring the proposed legal representatives of deceased respondent No.8 on record.

7. Issue notice to the proposed legal representatives of the respondent No.8.
8. Mr. P.V. Ghare, learned counsel, waives service of notice for the proposed legal representatives of the respondent No.8.
9. The appellant to carry out the amendment within a period **of two weeks**.
10. The application is **disposed of**.

CIVIL APPLICATION No.317 of 2022

11. Heard.
12. By this application, the applicant seeks to bring legal heirs of the deceased respondent No.6 on record.
13. Since right to sue survives against the respondent No.6, the permission is granted to bring the proposed legal representatives of deceased respondent No.6 on record.
14. The amendment be carried out within a period of two weeks.
15. After amendment, issue notice to the proposed legal representatives of the respondent No.6, returnable **after two weeks**.
16. The application is **disposed of**.

[JUDGE]