



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

CIVIL APPLICATION (CAS) NO.1293 OF 2022 IN
SECOND APPEAL NO.84 OF 2014

Smt. Vyajubi W/o Abbaskha Patnan (Dead) and others .Vs. M/s Rajeshwar Trading Company, Amravati through its Partner Shri Prashant Thakurdas Rathi 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 S.S. Sarda, Adv. h/f Shri V.V. Bhangde, Adv. for appellants.

Shri Saurav Rajurkar, Adv. h/f Shri Anand Parchure, Adv. for respondent Nos.1 to 7.

Ms K.E. Meshram, Adv. h/f Shri Tushar Darda, Adv. for respondent Nos.8, 10, 11 and 9(i) to 9(vii).

CORAM : SANJAY A. DESHMUKH, J.

DATED : 08/08/2024

1. This is an application for condonation of delay of 142 days, 142 days as well as 1174 days for bringing legal heirs of the appellant Nos.2 and 3 and respondent No.9 and for setting aside the abatement as well as for permission to bring the legal representatives on record.

2. Heard learned advocates for both sides.

3. Perused the application.

4. Considering the reasons stated in the application, the application deserves to be allowed in the interest of justice. The application is **allowed**.

5. Amendment be carried out within **a week**.

6. Application is **disposed of**.

7. The learned advocate for the appellants submits that he had filed Vakalatnama on behalf of legal

representative of appellant No.2 i.e. Rahmat Kha and Rahmankha therefore, notice shall not be issued.

8. The learned advocate for the appellants further submits that, he has filed Vakalatnama on behalf of legal representative of of respondent No.3 except Salma.

9. Ms K.H. Meshram, learned advocate submits that, she filed power on behalf of legal representative of respondent No.9 therefore, no need to issue notice.

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10. Issue notice to the legal heirs i.e. Raisabi and Salma Bano, returnable after **a week**.

(SANJAY A. DESHMUKH, J.)