



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

CIVIL APPLICATION (CAS) NO.677 OF 2023 IN
SECOND APPEAL NO.73 OF 2014

M/s Rajeshwar Trading Company, through its Partner Shri Prashant Thakurdas Rathi
and others **.Vs.** Smt. Nyajubi W/o Abbaskhan Pathan (Dead) 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 Saurav Rajurkar, Adv. h/f Shri Anand Parchure, Adv. for appellants.
Shri S.S. Sarda, Adv. h/f Shri V.V. Bhangde, Adv. for respondent Nos.10 to 13.

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

1. This is an application for condonation of delay of 200, 180 and 120 days caused for bringing legal representatives of deceased respondent Nos.2, 3 and 11 respectively.
2. Heard learned advocates for both sides.
3. Perused the application.
4. For the reasons stated in the application, the application deserves to be allowed in the interest of justice. The application is **allowed** as prayed for and abatement is also set aside.
5. Civil application is **disposed of**.

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6. This is an application for bringing legal representatives of deceased respondent Nos.2, 3 and 11 on record.

7. Heard learned advocates for both sides.
8. Perused the application.
9. For the reasons stated in the application, the application is **allowed**.
10. Amendment be carried out within **a week**.
11. Shri Sarda, learned advocate submits that the Vakalatnama is filed on behalf of legal representatives of respondent No.2 except Raisabi therefore, notice need not to issue.
12. Shri Sarda, learned advocate submits that, he had already filed Vakalatnama on behalf of legal representative of respondent No.3 i.e. Salma Bano therefore, notice need not be issued.
13. Shri Sarda, learned advocate for the respondents submits that already Vakalatnama is filed on behalf of legal representatives of respondent No.11 therefore, notice need not required.

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14. Issue notice to the Salma and Raisabi.
15. The concerned learned advocate shall provide copies for service of notice on these legal heirs.
16. Stand over after **a week**.

(SANJAY A. DESHMUKH, J.)