



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

Civil Application [CAF] No.893 of 2024
and
Civil Application [CAF] No.892 of 2024
and
Civil Application [CAF] No.891 of 2024
in
Second Appeal No.468 of 2009

Bhaurao s/o Amrutrao Mahure & another vs. Chandrabhan s/o Sitaramji Raut & another

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr. A.S. Sonare, Advocate for the Applicants/Appellants.
Mr. N.S. Bhattad, Advocate for the Non-Applicant/Respondent No.1.

CORAM : M.W. CHANDWANI, J.
DATE : 14th OCTOBER, 2024.

Heard.

02. The present applications are filed for condonation of delay in filing the application for setting aside abatement, for setting aside the abatement order and for bringing the legal heirs of respondent No.2 on record.

03. The learned Counsel appearing on behalf of the proposed legal heirs of respondent No.2 has no objection to the applications.

04. For the reasons mentioned in the applications, the applications are allowed.

05. The delay caused in filing the application for setting aside abatement is condoned. Since, the right to sue survives against the legal heirs of deceased-respondent No.2, permission to bring the legal heirs of respondent No.2 on record is granted. Accordingly, the abatement order is set aside. Amendments to be carried out within a week.

06. The applications are disposed of accordingly. Stand over after Diwali vacation.

JUDGE