



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

CIVIL APPLICATION (CAO) No.1216 OF 2024
IN
CROSS OBJECTION No.87 OF 2017
IN
FIRST APPEAL No.998 OF 2012

(Narayan s/o. Ukandrao Makde (dead), 1) Sarang Narayarao Makde and others Vs.
M.I.D.C. having its office at Mumbai and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. A.B. Nakshane, Advocate for cross-objectors.
Mr. Najeeb Sheikh h/f. Mr. M.M. Agnihotri, Advocate for
respondent.
Mr. M.A. Kadu, AGP for respondent Nos.2 and 3.

CORAM : SANJAY A. DESHMUKH, J.
DATE : 30th SEPTEMBER, 2024.

1. This is an application for condonation of delay of 1488 days caused in bringing legal representatives of respondent No.4 on record.
2. Perused the application.
3. Heard learned Advocates of both sides.
4. Learned Advocate for the respondents strongly objected the application.
5. Considering the reasons stated in the application, it appears that delay is not deliberately caused, therefore, in the interest of justice, the application deserves to be allowed.
6. The application is allowed.
7. The delay of 1488 caused in bringing legal

representatives of respondent No.4 on record. is condoned.

8. The application is disposed of.

Civil Application (CAO) No.1215/2024.

1. This is an application for setting aside the abatement caused by the death of respondent No.4.

2. Perused the application.

3. Heard learned Advocates of both sides.

4. Learned Advocate for the respondents strongly objected the application.

5. For the reasons stated in the application, the application deserves to be allowed in the interest of justice.

6. The application is allowed.

7. Abatement against deceased respondent No.4 is set aside.

8. The application is disposed of.

Civil Application (CAO) No.1213/2024.

1. This is an application for permission to bring the legal representatives of respondent No.4 on record by amending the cross-objection.

2. Perused the application.

3. Heard learned Advocates of both sides.

4. Learned Advocate for the respondents strongly objected the application.

5. Considering the reasons stated in the application, the application deserves to be allowed in the interest of justice.

6. The application is allowed.

7. Legal representatives of deceased respondent No.4 be brought on record.
8. Amendment be carried out within a week.
9. The application is disposed of.

FIRST APPEAL No.998 OF 2012.

Stand over after two weeks.

(SANJAY A. DESHMUKH, J.)

Wadode