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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION (ST) NO. 21057 OF 2019
INTERIM APPLICATION NO. 3579 OF 2019
CIVIL APPLICATION NO. 1937 OF 2004
IN
SECOND APPEAL NO. 199 OF 2004**

Annapurna Ramhari Mane and Another ... Applicants/ Appellants
Vs.

Pralhad Hanmant Jagtap (Mali) ... Respondents
and Others

Mr. Prasad P. Kulkarni for the Applicants.

Mr. Paras D. Yadav for Respondent Nos. 4, 5, 7, 8A and 8B.

Mr. Yogesh Birajdar i/b. Mr. S. D. Dharmadikari for Respondent Nos.
1 and 2.

CORAM : GAURI GODSE, J.

DATE : 7th JANUARY 2025

ORDER :

Civil Application (St) No. 21057 of 2019

1. This application is for bringing on record name of heir and legal representative of deceased respondent no. 9. The appeal was dismissed against respondent no. 9 by order dated 29th March 2010. This application therefore seeks for setting aside abatement with a prayer for condonation of delay. The heir and legal representative of deceased respondent no. 9 is served and is represented through Advocate.

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2. There is no serious opposition to the reasons stated for condonation of delay.

3. In the facts and circumstances of the case, delay is condoned and the application is allowed in terms of prayer clause (a), (b) and (c). Amendment to be carried out within three weeks.

Interim Application No. 3579 of 2019

4. This application is for restoration of the second appeal against respondent nos. 9 and 7. A separate application for bringing on record name of heir and legal representative of deceased respondent is already allowed.

5. Second appeal was dismissed against respondent no. 7 as copy was not supplied to issue notice to respondent no. 7. Respondent no. 7 is now served and is represented through Advocate.

6. Hence, this application is allowed in terms of prayer clause (a) and (b). Second Appeal is restored against respondent no. 7 and heir and legal representative of deceased respondent no. 9.

Civil Application No. 1937 of 2004

7. This application is for bringing on record name of heirs and

legal representatives of deceased respondent no. 8. There is delay in filing the application. The heirs and legal representatives are served and are represented through Advocate.

8. There is no serious opposition to the reasons stated for condonation of delay.

9. In the facts and circumstances of the case delay is condoned and the application is allowed in terms of prayer clause (a), (b) and (c). Amendment to be carried out within three weeks.

[GAURI GODSE, J.]