



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

**CIVIL APPLICATION NO. 1174 OF 2022 IN**  
**CIVIL APPLICATION NO. 469 OF 2020 IN**  
**FIRST APPEAL ST. NO. 25018 OF 2017**

Chief Executive Officer, ZP Gondia.

..vs..

Bhaulal Vithoba Chopkar and ors.

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders  
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Shri A.Y. Kapgate, Advocate for the applicant.  
Shri M.A. Kadu, AGP for the State.

**CORAM: PRAVIN S. PATIL, J.**  
**DATED : 15/09/2025.**

Heard.

2. By this application, the applicant is seeking condonation of delay of 1305 days in bringing legal representatives of respondent no.1 on record and setting aside the abatement against the respondent no.1.

3. The appellant stated that due to administrative reasons, the delay of 1305 days has been caused in filing the present application, which is not intentional one and same needs to be condoned on its own merits.

4. Considering the reasons put-forth in the application, which are not controverted by the respondent/State, the application is allowed. Delay stands condoned. Abatement against respondent no.1 is hereby set aside.

5. The application stands disposed of accordingly.

**CIVIL APPLICATION NO. 1175 OF 2022**

6. Heard.

7. It is stated that right to sue is surviving in favour

of the legal heirs of respondent no.1 and accordingly, the same are necessary to be brought on record.

8. Hence, for the reasons stated in the application, the application is allowed.

9. Necessary amendment be carried out within a period of seven days. Amended copy be supplied on the other side.

10. Issue fresh notice to the legal heirs of respondent no.1, returnable in four weeks.

11. It is also seen from the record that respondent no.2 has not served till today due to non-supply of the copy.

12. The appellant to supply the copy within a week.

13. Issue fresh notice to respondent no.2 thereafter, returnable in four weeks.

14. List the matter for further consideration as per its turn.

**(PRAVIN S. PATIL, J.)**

*Trupti*