



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

Civil Application [CAS] No.303 of 2018
and
Civil Application [CAS] No.304 of 2018
and
Civil Application [CAS] No.302 of 2018
in
Civil Application [CAS] No.272 of 2017
in
Second Appeal No.25112 of 2016

Sanjay s/o Natha Gavai and another
vs.
Shri Jijebao Kisan Gavai and others

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

Court's or Judge's Orders

Mrs. P.M. Chandekar, Advocate for the Applicants/Appellants.

CORAM : M.W. CHANDWANI, J.

DATE : 21st MARCH, 2025.

Heard.

02. These applications are filed for condonation of delay in bringing the legal heirs of deceased respondent Nos.1 and 6 on record and for setting aside abatement.

03. Though the proposed respondents are served, nobody appears on their behalf.

04. For the reasons mentioned in the application, the delay caused in filing the application for bringing the legal heirs on record is condoned subject to payment of costs of Rs.1,000/- (Rupees One Thousand Only) payable to the High Court Legal Services Sub Committee, Nagpur, within a period of three weeks.

05. Since, the right to sue survives against the legal heirs of the deceased-respondents, the abatement order is set aside and permission to bring the legal heirs of deceased respondent Nos.1 and 6 is granted.

06. Necessary amendments to be carried out within two weeks.

07. All the applications are allowed and disposed of accordingly.

JUDGE

**sandesh*