



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

CIVIL APPLICATION (S) NO.1265 OF 2023

WITH

CIVIL APPLICATION (S) NO.1264 OF 2023

WITH

CIVIL APPLICATION (S) NO.1266 OF 2023

IN

SECOND APPEAL NO.518 OF 2012

[Smt. Yshodabai w/o Jagan Nagrikar ..Vs.. Smt. Kalawati Dattuji
Chaudhari and Others]

WITH

CIVIL APPLICATION (S) NO.248 OF 2024

WITH

CIVIL APPLICATION (S) NO.249 OF 2024

WITH

CIVIL APPLICATION (S) NO.247 OF 2024

IN

SECOND APPEAL NO.206 OF 2011

WITH

SECOND APPEAL NO.204 OF 2011

[Kalawati Dattuji Chaudhary and Another ..Vs.. Yashodabai Jagan
Nagrikar and Others]

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

Court's or Judge's order

Mr A. D. Thakre, Advocate for Applicants/Appellants.

Mr U. P. Deopujari, Advocate for Respondent Nos.3(A to D).

CORAM : M. W. CHANDWANI, J.

DATE : 26th JUNE, 2025.

1. Heard.

2. The appellant namely Yashodabai W/o Jagan Nagrikar in Second Appeal No.518 of 2012 and respondent No.1 namely Yashodabai W/o Jagan Nagrikar in Second Appeal No.206 of 2011 died during the pendency of the appeals. However, there is

delay in filing the application in both the appeals. The learned counsel appearing on behalf of both the parties gave no objection.

3. Considering the reasons mentioned in the applications and in view of the no objection of the other side, the delay in filing the application for bringing the legal representatives of deceased appellant in Second Appeal No.518 of 2012 and deceased respondent No.1 in Second Appeal No.206 of 2011 is condoned. Since right to sue survives against and in favour of the legal representatives of the deceased appellant/respondent, permission to bring on record the legal representatives is granted. Accordingly, abatement order is set aside.

4. Amendment be carried out within two weeks from today.

5. Accordingly, the civil applications stand disposed of.

6. Stand over after two weeks.

JUDGE

Tambe.