



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

CIVIL APPLICATION (S) NO.321 OF 2025 IN
SECOND APPEAL NO.440 OF 2006

[Sanjay S/o Shridhar Shendre and Others **..Vs..** Smt. Turjabai @
Purnabai Wd/o Shripat Bhongade (Dead) thr LR's 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 N. Vyawahare, Advocate for Applicants/Appellants.

Mr A. Mardikar, Adv. a/w Mr V. V. Deshpande, Advocate for Non-Applicant Nos.2 to 8.

CORAM : M. W. CHANDWANI, J.

DATE : 7th APRIL, 2025.

1. Heard.
2. By this application, the applicants/appellants are seeking condonation of delay in bringing the legal representatives of deceased respondent No.3 on record; permission to bring the legal representatives on record by setting aside the abatement of appeal.
3. The learned counsel appearing on behalf of the proposed respondents submitted that he has no objection.
4. Considering the contentions of the application, there is sufficient cause for not bringing the legal representatives on record within limitation period. Hence, the delay is condoned. Since right to sue survives against the legal representatives of deceased respondent No.3, the order of abatement of appeal is set aside and permission to bring the legal representatives of deceased respondent No.3 on record is granted.
5. Accordingly, the application stands disposed of.
6. Stand over to three weeks.
7. Meanwhile, amendment to be carried out.

JUDGE