



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

CIVIL APPLICATION NO. 762 OF 2023 AND 763 OF 2023

IN
SECOND APPEAL NO. 90 OF 2008

Maroti s/o. Damdu Pandile and ors

Vs.

Shri. Ramchandra Sadashi Deshpande (deceased) thru. LR's Mangala and ors.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. P R. Agrawal, Advocate for appellants/applicants.

Ms. Rudra Mulaokar, Advocate h/f. Mr. O. R. Deshpande, Advocate for non-applicants/respondents

CORAM : ROHIT W. JOSHI, J.

DATE : 24.09.2025.

. The learned Advocate Ms. Rudra Mulaokar, holding for learned Advocate Mr. O. R. Deshpande, waives notice for Respondent No. 1b to 1e.

2. The sole respondent expired on 04.01.2013. The learned Advocate representing the deceased respondent, filed pursis dated 02.02.2023, intimating the fact of his sad demise.

3. In view of the aforesaid, the present application is filed on 13.06.2023, seeking condonation of delay of 2,639 days caused in filing application for bringing legal representatives of deceased respondent on record, setting aside abatement of appeal and for permission to bring the legal representatives on record.

4. It is not in dispute that the appellants were not aware about the sad demise of the sole respondent till

02.02.2023. The application is filed within a reasonable period thereafter.

5. In view of the above, the civil application is allowed by condoning the delay caused in filing the application for bringing the legal representatives of deceased respondent on record, setting aside the abatement of the appeal against the respondent and by further permitting the appellants to bring the legal representatives of deceased respondent on record.

6. Necessary amendment be carried out before **30.09.2025**.

7. The Civil Applications are disposed of accordingly.

8. List the appeal for final hearing on **06.10.2025** at **4.30 P. M.**

(ROHIT W. JOSHI, J.)

Tanmay