



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

**SECOND APPEAL NO. 308 OF 2016**

Vitthalrao S/o Dayaramji Durge ..VS.. Dilip S/o Ramaji Deshmukh & others

**WITH**

**SECOND APPEAL NO. 309 OF 2016**

Vitthalrao S/o Dayaramji Durge ..VS.. Dilip S/o Ramaji Deshmukh & others

**WITH**

**SECOND APPEAL NO. 310 OF 2016**

Vitthalrao S/o Dayaramji Durge ..VS.. Dilip S/o Ramaji Deshmukh & others

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

Court's or Judge's orders

Mr. A.C. Dharmadhikari, Advocate for appellant in all Second Appeals.

Mr. P.A. Markandeywar, Advocate for respondent No.1 in SA No.308/2016, for respondent Nos.1, 2 &4 in SA No.309/2016 and for respondent No.1 & 2 in SA No.310/2016.

Mrs. K.P. Dharshivkar, Advocate for respondent No.2 in SA No.308/2016 and for respondent No.3 in SA No.309/2016 and 310/2016.

**CORAM : SMT. M.S. JAWALKAR, J.**

**DATED : JANUARY 21, 2025**

**CIVIL APPLICATION (CAS) NOS. 909/2024, 910/2024 AND 911/2024 IN SECOND APPEAL NO.308/2016 AND**

**CIVIL APPLICATION (CAS) NOS. 605/2021, 606/2021 AND 607/2021 IN SECOND APPEAL NO.309/2016 AND**

**CIVIL APPLICATION (CAS) NOS. 587/2022, 588/2022 AND 589/2022 IN SECOND APPEAL NO.310/2016.**

1. Heard.

2. It is submitted that respondent – Namdeorao Kisanji Ladekar is reported to be dead and therefore,

these applications are moved for condonation of delay in filing application for bringing legal heirs, setting aside abatement and for bringing legal heirs of respondent – Namdeorao Kisanji Ladekar on record. The other appeals pending before this Court filed by said Namdeorao Kisanji Ladekar, in which a similar applications are moved.

3. For the reasons stated in these applications, the applications are allowed. The delay caused in filing application for bringing legal heirs on record is condoned, abatement is set aside and appellant is permitted to bring on record the legal hairs of respondent Namdeorao Kisanji Ladekar.

4. Amendment be carried out within a period of one week.

5. Learned Advocate Mrs. K. P. Dharshivkar, waives notice on behalf of legal heirs of respondent Namdeorao Kisanji Ladekar.

6. All these applications stand disposed of.

7. List the matters for orders on Civil Application (CAS) Nos. 906/2024, 907/2024 and 908/2024 on **31.01.2025**.

**(SMT. M.S. JAWALKAR, J.)**