



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

CIVIL APPLICATION (CAS) NO.790 OF 2025
WITH
CIVIL APPLICATION (CAS) NO.791 OF 2025
WITH
CIVIL APPLICATION (CAS) NO.792 OF 2025
IN
SECOND APPEAL NO.443 OF 2022 (D)

Sukhdeo S/o Baliram Gadhe .Vs. Parashram S/o Namdeo Kamble (Dead) Through
LRs.

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

Court's or Judge's Order

Mr. N.R. Tekade, Advocate for applicant.
Mr. S.B. Mohta, Advocate for non-applicant No.1.
Mr. S.V. Sohoni, Advocate for non-applicant No.2.

CORAM : ROHIT W. JOSHI, J.
DATE : 17/12/2025

1. The non-applicant has expired. These are applications for seeking condonation of delay in filing application for setting aside abatement and permission to bring his legal representatives on record.

2. It is stated in the application that the delay caused is of 441 days. However, the learned Advocate for the applicant states that the delay is of around 700 days, if calculated from the date of demise of non-applicant. A statement is made in the application that the applicant was not aware about the demise of the non-applicant. It is also stated in the application that connected Second Appeal

bearing No.312 of 2019 is already admitted and is still pending for final hearing.

3. In view of the reasons mentioned above, application for condonation of delay in filing civil application for bringing legal representatives of deceased non-applicant is **allowed**, abatement of appeal against non-applicant is set aside and permission is granted to bring the names of legal representatives of deceased non-applicant on record, subject to costs of Rs.10,000/- to be paid by applicant with District Bar Association, Akola,

4. Necessary amendment be carried out on or before **24.12.2025**.

5. List the appeal for hearing on admission on **21.01.2026**.

6. Appeal be heard with Second Appeal No.312 of 2019.

(ROHIT W. JOSHI, J.)