



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

CIVIL APPLICATION (CAW) NO.2236 OF 2025
WITH
CIVIL APPLICATION (CAW) NO.2234 OF 2025
WITH
CIVIL APPLICATION (CAW) NO.2035 OF 2025
WITH
CIVIL APPLICATION (CAW) NO.2036 OF 2025
WITH
CIVIL APPLICATION (CAW) NO.2295 OF 2025
WITH
CIVIL APPLICATION (CAW) NO.1848 OF 2025
IN
WRIT PETITION NO.2645 OF 2025

GAJANAN S/O KAWADU BHOYAR, THR. P.O.A., SWAPNIL GAJANAN
 BHOYAR
VERSUS
 KISHOR S/O GANPATRAO MOGRE AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. A.M. Chandekar , Advocate for Petitioner.
 Mr. Shantanu Khedkar, Advocate for Respondent No.8.
 Mr. Apurv De, Advocate for Respondent No.3.
 Ms. Kirti Satpute, Advocate for Respondent Nos.4, 5 & 7.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 03rd OCTOBER 2025

CIVIL APPLICATION (CAW) NO.2236 OF 2025

1. Heard learned Advocate for the petitioner.
2. This is an application for condonation of delay in filing the application to bring on record the legal representatives of deceased respondent No.2.

3. Learned Advocates for the respondents have no objection to allow the application for condonation of delay.

4. Having regard to the contents of the application and submissions advanced and no objection of other side, the application is allowed.

5. Delay of 1196 days in bringing on record the legal representatives of deceased respondent No.2 is condoned.

6. In view of the above, the civil application is disposed of.

CIVIL APPLICATION (CAW) NO.2234 OF 2025

1. Heard learned Advocate for the petitioner.

2. This is an application for bringing on record the legal representatives of deceased respondent No.2.

3. Learned Advocate for the petitioner states that the cause of action survives in favour of legal representatives of deceased respondent No.2 and they need to be brought on record.

4. Learned Advocates for the respondents have no objection to allow the application.

5. Having regard to the contents of the application and no objection of other side, the application is allowed and the petitioner is permitted to bring on record the legal representatives of deceased

respondent No.2. Necessary amendment be carried within a period of one week.

6. In view of the above, the civil application is disposed of.

CIVIL APPLICATION (CAW) NO.2035 OF 2025

1. Heard learned Advocate for the petitioner.

2. This is an application for condonation of delay in filing the application to bring on record the legal representatives of deceased respondent No.6.

3. Learned Advocate for the petitioner submits that from the date of death of respondent No.6, there is a delay of 4305 days in filing the present application. However, the petitioner was not aware about the death of respondent No.6 and as such, if counted from the date of knowledge, then the application is filed within time.

4. Learned Advocates for the respondents do not oppose the application.

5. Having regard to the contents of the application and submissions advanced and no objection of other side, the application is allowed.

6. Delay of 4305 days in bringing on record the legal representatives of deceased respondent No.6 is condoned.

7. In view of the above, the civil application is disposed of.

CIVIL APPLICATION (CAW) NO.2036 OF 2025

1. Heard learned Advocate for the petitioner.
2. This is an application for bringing on record the legal representatives of deceased respondent No.6.
3. Learned Advocate for the petitioner states that the cause of action survives in favour of legal representatives of deceased respondent No.6 and they need to be brought on record.
4. Learned Advocates for the respondents have no objection to allow the application.
5. Having regard to the contents of the application and no objection of other side, the application is allowed and the petitioner is permitted to bring on record the legal representatives of deceased respondent No.6. Necessary amendment be carried within a period of one week.
6. In view of the above, the civil application is disposed of.

CIVIL APPLICATION (CAW) NO.2295 OF 2025

1. This is an application filed by the petitioner seeking grant of stay to the proceedings pending before the Tahasildar, Chandrapur in Case No. SRVS 43 of 2024-25/3.
2. Heard the arguments by learned Advocate for the petitioner as well as learned Advocates for the respondents.

3. Learned Advocate for the petitioner submits that although the instant petition is filed challenging the orders passed in execution proceedings, the petitioner apprehended mutation of names of the respondents against the properties owned by his father. Therefore, an interim relief is sought to stay the mutation proceedings before the Tahasildar, Chandrapur, in above mentioned case.

4. During the course of arguments, learned Advocate for the petitioner submits that as far as the land owned by respondent No.8 is concerned, which is 0.20 H. on the basis of sale-certificate issued in favour of respondent No.8 in pursuance of order passed in Regular Darkhast No.08 of 1992, the petitioner is not raising any claim.

5. As such the proceedings before the Tahasildar, Chandrapur in Case No. SRVS 43 of 2024-25/3 are allowed to be proceeded, however, same shall be subject to the result of the instant petition.

6. In view of this, no separate orders are required to be passed on the application for grant of stay and the civil application is disposed of.

CIVIL APPLICATION (CAW) NO.1848 OF 2025

1. This is an application filed by the petitioner for issuing notice to respondent No.1, on correct address, as mentioned in the application

2. Having regard to the contents of the application, the application is allowed.

3. Issue fresh notice to respondent No.1 in Writ Petition No.2645 of 2025, on the address supplied in the application.

4. The petitioner is permitted to serve respondent No.1 on the address supplied in the application by R.P.A.D., in addition to regular mode of service.

5. The civil application is accordingly disposed of.

(PRAFULLA S. KHUBALKAR, J.)

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