



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

CIVIL APPLICATION (CAS) NO.815 OF 2025 WITH
CIVIL APPLICATION (CAS) NO.816 OF 2025 WITH
CIVIL APPLICATION (CAS) NO.817 OF 2025

IN

SECOND APPEAL NO.52 OF 2024

Mahadev Pundlik Lohande .Vs. Smt. Mainabai Narayanrao Dabhekar

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

Court's or Judge's Order

Mr. R.S. Yeotkar, Advocate for applicant/appellant.

Mr. J.R. Kidilay, Advocate for respondent/non-applicant.

CORAM : ROHIT W. JOSHI, J.

DATE : 10/12/2025

1. The sole appellant has expired on 29.09.2024. These applications are filed for condonation of delay of appeal in bringing his legal representatives on record, setting aside abatement of appeal and for bringing his legal representatives on record.

2. The learned Advocate for the sole respondent has no objection for allowing the applications. The applications are accordingly **allowed**. Delay caused in filing application for bringing legal representatives of deceased appellant on record is condoned, abatement of appeal against appellant is set aside and permission is granted to bring the names of present applicants as legal representatives of deceased appellant on record.

3. The applicants have stated that apart from the applicants, non-applicant Nos.1 to 4 namely Shakuntala

W/o Mahadev Lohande, Naresh S/o Mahadev Lohande, Vijaya W/o Gajanan Sontakke and Suwarna W/o sanjayrao Bawane, are also legal representatives. The non-applicant Nos.1 to 4 are second wife and children begotten by the deceased appellant from her. The learned Advocate for the applicants states that the non-applicant Nos.1 to 4 be arrayed in the appeal as respondent Nos.2 to 5 since they are not willing to contest the appeal along with the present applicants. The request is reasonable. The names of present applicants will be brought on record as legal representatives of deceased appellant and the names of non-applicant Nos.1 to 4 will be incorporated as respondent Nos.2 to 5. It will be open for the non-applicants to move appropriate application for transposition if they deem fit.

4. List the appeal for hearing on admission on **23.12.2025.**

(ROHIT W. JOSHI, J.)