

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

CIVIL APPLICATION NO. 3265 OF 2025 IN
FIRST APPEAL NO.1351 OF 2009

State of Maharashtra and ors.

..vs.

Keshavdeo s/o Deoludeo Bhaiswar (dead) thr. LR's

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

Court's or Judge's orders

Shri M.A. Kadu, Advocate for the State.
Shri C.R Najbile, Advocate for LR's of cross-objector.
Shri J.B. Kasat, Advocate for respondent no.3.

CORAM: PRAVIN S. PATIL, J.
DATED : 16/09/2025.

Heard.

2. By this application, the applicant/State seeking condonation of delay of 108 days in filing the application for setting aside the abatement of the appeal against respondent no.2 i.e. cross-objector who was expired on 19.02.2025.

3. It is stated that applicant/appellant got knowledge about the death of respondent no. 2 after taking efforts by him in the matter.

4. Hence, for the reasons stated in the application, the application is allowed. Delay stands condoned.

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5. Heard.

6. By this application, the applicant is seeking setting aside the abatement of the appeal against respondent no. 2.

7. It is stated that right to sue is surviving in the matter in their favour.

8. Therefore, for the reasons stated in the

application, the abatement against respondent no. 2 is hereby set aside.

9. The application stands disposed of accordingly.

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10. Heard.

11. This is an application seeking condonation of delay in bringing legal representatives of respondent no. 2 on record.

12. Considering the reasons put-forth in the application the application is allowed. Delay stands condoned.

13. The application stands disposed of accordingly.

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14. Heard.

15. By this application, the applicant is seeking permission to bring on record the legal representatives of respondent no. 2.

16. For the reasons stated in the application, the application is allowed.

17. Necessary amendment be carried out within a period of one week. Amended copy be supplied on the other side.

18. Issue notice to the proposed respondents. Learned Counsel appearing for the proposed respondents, waives notice.

19. List the matter for final disposal, on 30.09.2025.

(PRAVIN S. PATIL, J.)