



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

CIVIL APPLICATION (CAS) NOS.1087 of 2025, 1088 OF 2025
IN
SECOND APPEAL NO.169 OF 2016

Shri Ramchandra Bhayyalalji Wadbudhe and ors

Vs.

Mr. Madhukar S/o. Bhayyalalji Wadbudhe

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

Court's or Judge's Order

Mr. R.P. Waghmare, Advocate for appellant.

Mr. Mandar Deshpande, Advocate h/f. Mr. R. L. Khapre, Sr.
Advocate for respondent.

CORAM : ROHIT W. JOSHI, J.

DATE : 03.11.2025.

. This is an application for bringing legal representatives of deceased respondent No.1 on record. There is delay of around 425 days in filing the application. The delay is explained stating that the appellant was not aware about the demise of respondent No.1 till filing of pursis dated **03.10.2024**.

2. Having regard to the reasons mentioned in the application, coupled with the fact that the second appeal is of the year 2016 and appeals of earlier years are also pending for final hearing, in the considered opinion of this Court, further progress of the present appeal is not adversely affected by virtue of the delay.

3. In that view of the matter, the delay in filing application is condoned, abatement of appeal against

respondent No.1 is set aside and permission is granted to bring the legal representatives of deceased respondent No.1 on record.

4. Necessary amendment be carried out on or before **14.11.2025**.

5. learned Advocate, Mr. Deshpande waives notice in the appeal on behalf of the legal representatives of respondent No.1.

6. Learned Advocate Mr. Mohd. Ateeque, Mr. Mohd. Zahid Shekhani and Mr. Akash Moon are discharged as Advocates for the appellant in view of the fact that learned Advocate Mr. R. A. Biranware is appearing on behalf of the appellant.

(ROHIT W. JOSHI, J.)

Tanmay...