



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

CIVIL APPLICATION (CAS) NO.1214 OF 2025, 1215 OF 2025,
1216 OF 2025
IN
SECOND APPEAL NO.78 OF 2025

Shri Narayan Nathmalaji Maniyar and ors **Vs.** Eknath Govindrao Bagade and ors.

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

Court's or Judge's Order

Mr. Masood Shareef, Advocate for applicants/appellants.

CORAM : ROHIT W. JOSHI, J.

DATE : 05.12.2025.

. Respondent No.10 has expired on 11.01.2018. The appellants have filed application for bringing her legal representatives on record, alongwith application for condonation of delay and setting aside abatement. Respondent No.10 is original plaintiff no.10. She had died while civil suit was pending and her legal representatives were not brought on record in the civil suit.

2. The application will therefore, have to be considered as an application for addition of parties under Order I Rule 10 of the Code of Civil Procedure, 1908.

3. The appellants are directed to incorporate the names of the legal representatives of deceased respondent No.10 on record.

4. Necessary amendment be carried out on or before **12.12.2025.**

5. List the appeal for hearing on admission on **18.12.2025**.

6. The question of abatement of the suit on account of failure to bring legal representatives of deceased respondent No.10/plaintiff no.10 on record in the civil suit is kept open.

7. The learned Advocate for the applicants informs that although an application for bringing legal representatives of deceased respondent No.10/plaintiff No.10 on record was filed before the learned Trial Court, the same was not decided before passing of the order of rejection of plaint, as a consequence of which, legal representatives of the said respondent were not brought on record.

(ROHIT W. JOSHI, J.)

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