



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

CIVIL APPLICATION [CAF] NOS.4453 OF 2025 AND 4454/2025

IN

FIRST APPEAL NO.163 OF 2000 [D]

[WCL .vs. Jayant s/o Tukaram Bobade and others]

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

Court's or Judge's orders

Shri M. Anilkumar, Advocate for Appellant.
Ms. Shreshtha, Adv. h/f Shri Apurv De, Advocate for Respondent Nos.1 to 3.
Ms. M.R. Kavimandan, AGP for Respondent Nos.4 and 5.
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CORAM : PRAVIN S. PATIL, J.

DATED : 09.12.2025.

1. By this application, the applicants are seeking the condonation of 183 days in filing the application for setting aside abatement and bringing the legal heirs of respondent no.3 on record.

2. It is pointed out in the application that the respondent no.3 is recorded to be dead on 17.09.2010 during the pendency of the present appeal. However, this fact came to the knowledge after this appeal was decided finally by this court on 12.11.2014 whereby claimants were permitted to withdraw the amount.

3. The averments made in the application are on affidavit and there is no reason to discard the submission made in the application.

4. Hence, for the reasons stated in the application, the applications are allowed.

5. The necessary amendment/correction be carried out by the applicants within a period of one week.

6. It is made clear that at the time of withdrawal of the amount, the Registry should satisfy about the fact that the present applicants are the legal heirs of respondent no.3 by obtaining the necessary documents from the applicants and after verification of the same, permit them to withdraw the amount lying before this court.

7. Both the applications stand disposed of.

(PRAVIN S. PATIL, J.)