



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

WRIT PETITION NO.2935 OF 2024

Shri Maroti S/o. Mahadeorao Thakre

Vs.

Shri Manohar S/o. Ghanshyam Mankar and Others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S.R. Gupta, Advocate for the Petitioner.

Mr. P.T. Gajwe a/w. Mr. S.S. Chauhan, Advocate for the Respondent Nos.1 to 6.

CORAM: SIDDHESHWAR S. THOMBRE, J.

DATED : 16th OCTOBER, 2025

1. Heard Mr. S.R. Gupta, learned counsel for the petitioner and Mr. P.T. Gajwe, along with Mr. S.S. Chauhan, learned counsel for the respondent Nos.1 to 6.

2. Learned counsel for the petitioner submits that the orders passed below Exh.51 and Exh.52 dated 17.10.2023 and below Exh.69 dated 29.02.2024 passed by the learned 2nd Joint Civil Judge Junior Division, Kamptee in RCS No.40/2015, whereby, the applications filed for setting-aside the abatement of suit, application for condonation of delay in bringing legal heirs of the deceased and application for seeking review of order dated 17.10.2023 came to be rejected.

3. Considering the averments made in the writ petition, in the interest of justice, to give one more opportunity to contest the matter on merits, the present writ petition is **partly allowed**. The orders dated

17.10.2023 passed below Exh.51 and Exh.52 and 29.02.2024 passed below Exh.69 are hereby quashed and set-aside.

4. The application below Exh.51 and 55 are allowed subject to cost of **Rs.25,000/- (Rupees Twenty Five Thousand Only)** which shall be deposited to High Court Bar Library, High Court of Judicature at Bombay, Bench at Nagpur, within a period of one month.

(SIDDHESHWAR S. THOMBRE J.)

Privet