



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

CIVIL APPLICATION (CAO) NO. 643 AND 1276 OF 2025

IN

WRIT PETITION NO. 5763 OF 2011

SHRIKRUSHNA S/o BHASKAR WAGH AND OTHERS

VERSUS

GAJANAN ARUN ARAJ AND OTHERS

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

Court's or Judge's Order

Mrs. Vijaya P. Thakre, Advocate for the petitioners/applicants
Mr. A. G. Mate, A.G.P. for respondent no.3.

CORAM : M. W. CHANDWANI, J.

DATE : SEPTEMBER 17, 2025.

1. Heard.
2. These are the applications for condonation of delay of 1572 days caused in filing application for bringing legal heirs of deceased respondent no.2 on record, for setting aside abatement and bringing legal heirs of deceased respondent no.2 on record.
3. Considering the reasons mentioned in the applications, particularly the fact that death of respondent no.2 was reported by the counsel for respondent nos.1 and 2 two months back, the delay in filing application for bringing legal heirs of deceased respondent no.2 on record is condoned.
4. Since, right to proceed against the legal heirs of deceased respondent no.2 survives, the order of abatement against deceased respondent no.2 is set aside.

Permission to bring the legal heirs of deceased respondent no.2 on record is granted.

5. Both the civil applications are allowed and disposed of.

6. Necessary amendment be carried out within two weeks.

7. Stand over to 03.10.2025.

(M.W.Chandwani, J.)

Diwale