



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

CIVIL APPLICATION (CAF) NO. 207 OF 2025

IN

FIRST APPEAL NO. 158 OF 2021

(VIDC Yavatmal & Anr. V/s Laxman Yadaorao Pal & Ors.)

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. Vinay Dahat, Advocate h/f Mr. J. B. Kasat,
Advocate for Appellants.

Mr. A. B. Nakshane, Advocate for Respondent No.1.

Ms. H. S. Dhande, AGP for Respondent/State.

CORAM : ROHIT W. JOSHI, J.

DATE : JANUARY 27, 2025.

. The present Application is filed seeking condonation of 207 days delay in filing the Application for bringing legal representatives of the deceased Respondent No.1 on record.

2. The Appeal is admitted on 20/1/2021. The Respondent No.1/Original Claimant has expired on 9/3/2021. The Appellants have computed the delay from the date of knowledge. The delay has to be computed from the date of death of a party and not from the date of knowledge. Lack of knowledge may be a ground for seeking condonation of delay, however, the limitation shall commence from the date of demise of a party.

3. However, although the delay is not correctly computed, in my considered opinion, whatever may be the delay,

it deserves to be condoned, since the Appeal is filed recently and final hearing is not affected due to such delay.

4. Civil Application is allowed by condoning the delay and setting aside abatement of Appeal against the deceased Respondent No.1.

5. The Appellants to amend the Appeal Memo accordingly on or before 17th February, 2025.

(ROHIT W. JOSHI, J.)

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