

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

FIRST APPEAL NO. 837 OF 2018

(VIDC Wardha vs. Shankar Pundlik Mahore and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. A.M.Kukday, Advocate for appellant.
Ms.Pooja Dhruv, Advocate for LR's of respondent No.1.
Mrs.Hemlata Dhande, AGP for respondents Nos. 3 and 4.

CORAM : ABHAY J. MANTRI, J.

DATE : JULY 18, 2025

CIVIL APPLICATION (F) NO. 2528 OF 2025.

AND

CIVIL APPLICATION (F) NO. 2529 OF 2025.

1) The applicant/appellant has moved these applications to condone the delay in setting aside the abatement order, bringing legal heirs of respondent No.1 on record, for which learned counsel appearing for legal heirs of respondent No.1, as well as learned Assistant Government Pleader for respondents No.3 and 4, have given no objection.

2) Having considered the reasons disclosed in the application, as well as no objection of learned counsel for respondents, both applications are allowed. The delay of 641 days is hereby condoned, and the abatement order against respondent No.1 is set aside. Also, the applicant is permitted to bring the legal heirs of respondent No. 1 on record. The amendment is to be carried out within two weeks, and a copy of the amended appeal memo is to be supplied to the other side.

CIVIL APPLICATION (F) NO. 1905 OF 2025

- 1) The applicant Sindhu w/o Shankarrao Mahore is one of the legal heirs of Shankar S/o Pundlik Mahore, has moved this application for the grant of early hearing, as the Record and Proceeding have already been received and the matter is an old one.
- 2) Learned counsel for the appellant and learned Assistant Government Pleader have given no objection.
- 3) Having considered the same, the application is allowed. The appeal is to be fixed for final hearing on 22 August 2025.

FIRST APPEAL NO. 837 OF 2018

- 1) Heard.
- 2) Issue notice to the legal heirs of respondent No.1. Learned counsel Ms. Pooja Dhruv waives service of notice on behalf of respondent No.1(a) to 1(e). Learned Assistant Government Pleader Mrs. Hemlata Dhande waives service of notice on behalf of respondent Nos. 3 and 4.

(ABHAY J. MANTRI, J.)