

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

FIRST APPEAL St. NO. 18685 OF 2023

(M.S.R.T.C. Yavatmal vs. Smt.Reshma wd/o Ganesh Marsetwar 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. Y.R.Chougule, Advocate h/f Mr.Rohan Chhabra, Advocate for
appellant.

CORAM : ABHAY J. MANTRI, J.

DATE : JULY 15, 2025

CIVIL APPLICATION (F) NO. 2486 OF 2025

1) The applicants/respondents No.1 to 3 have moved this application, permitting them to delete the name of respondent No.4 from the array of respondents.

2) On perusal of the Farad Sheet Note dated 17/03/2025, it seems that learned Registrar (J) has passed the order that the appeal against the respondent No.4 stood abated for non-compliance with the order dated 03/09/2024.

3) In view of the above, the application is disposed of, as the matter against respondent No.4 has already been stood abated by the learned Registrar (J).

CIVIL APPLICATION (F) NO. 3409 OF 2023

1) The applicant moved this application to condone the delay of 98 days in filing the first appeal. It appears that, although notices have been served on respondent Nos. 1 to 3 and 5, none appear on their behalf, which itself is sufficient to draw an adverse inference against them that they do not have any objection to the prayer made by the applicant.

2) The appeal is abated against the respondent No.4. Having considered the same, the reasons disclosed in the application, the application is allowed as prayed. The delay of 98 days in filing the first appeal is hereby condoned. First Appeal be registered accordingly.

FIRST APPEAL St. NO. 18685 OF 2023

- 1) Heard.
- 2) Issue notice to the respondents, returnable after six weeks.
- 3) Call for R & P.
- 4) List after receipt of the R & P.

(ABHAY J. MANTRI, J.)

KOLHE