



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

**CIVIL APPLICATION (CAF) NO. 3552 OF 2025**  
**IN FIRST APPEAL NO. 1032 OF 2023**

*V.I.D.C. THRU. EXEC.ENGR. YAVATMAL PROJECT CONSTN. DIVN., YAVATMAL*  
**VERSUS** *MADHUKAR PANDURANG JOLHE AND OTHERS*

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

Court's or Judge's Order

-----  
Ms. A. S. Athalye, Advocate for the appellant.  
Mr. Mohit Dubey, Advocate h/f Mr. A.B. Nakshane, Advocate for R.no.1  
Mr. M. A. Kadu, A.G.P. for respondent nos.2 and 3.

**CORAM : M. W. CHANDWANI, J.**  
**DATE : OCTOBER 01, 2025.**

1. Heard.
2. This is an application for condonation of delay in filing application for bringing legal heirs of deceased respondent no.1 and setting aside abatement.
3. In view of the reasons mentioned in the application and no objection given by respondent no.1, the delay of 1427 days caused in filing application for bringing legal heirs of deceased respondent no.1 on record is condoned. Since, the right to sue survives against legal heirs of deceased respondent no.1, the abatement order is set aside. The legal heirs of deceased respondent no.1 are permitted to be brought on record.
4. Necessary amendment be carried out within one week.
5. The application is allowed and disposed of.

**(M.W.Chandwani, J.)**

*Diwale*