



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

CIVIL APPLICATION (CAS) NOS. 395 and 394 OF 2025

IN

SECOND APPEAL NO. 137 OF 2010

BHASKAR S/o FAKIRAJI DAHIKAR (Dead) THRU. LRs MAYA B DAHIKAR AND OTHERS

VERSUS

*NARAYAN FAKIRAJI DAHIKAR (Dead) thru. LRs KAMLAKAR N. DAHIKAR AND OTHS
with*

CIVIL APPLICATION (CAS) NOS. 570 and 569 OF 2025

in

SECOND APPEAL NO. 138 OF 2010

BHASKAR S/o FAKIRAJI DAHIKAR (Dead) THRU. LRs MAYA B DAHIKAR AND OTHERS

VERSUS

*NARAYAN FAKIRAJI DAHIKAR (Dead) thru. LRs KAMLAKAR N. DAHIKAR AND OTHS
with*

SECOND APPEAL NO. 169 OF 2010

CHANDRASHEKHAR S/o FAKIRAJI DAHIKAR AND ANOTHER

VERSUS

*BHASKAR S/o FAKIRAJI DAHIKAR (Dead) THRU. LRs MAYA B DAHIKAR AND OTHERS
WITH*

SECOND APPEAL NO. 284 OF 2010

CHANDRASHEKHAR S/o FAKIRAJI DAHIKAR AND ANOTHER

VERSUS

*BHASKAR S/o FAKIRAJI DAHIKAR (Dead) THRU. LRs MAYA B DAHIKAR AND OTHERS
WITH*

SECOND APPEAL NO. 98 OF 2010

SMT. SUSHILABAI W/o ANNASAHAB DURUGKAR

VERSUS

CHANDRASHEKHAR S/o FAKIRAJI DAHIKAR AND OTHERS

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

Court's or Judge's Order

S.A. Nos. 137 & 138 of 2010

Mr. R. S. Charpe, Advocate for the appellants/applicants

Mr. B. M. Kharkate, Advocate for respondent nos.2 and 5

Mr. N. G. Jetha, Advocate for respondent no.4

S.A. Nos. 169 & 284 of 2010

Mr. B. M. Kharkate, Advocate for the appellants

Mr. R. S. Charpe, Advocate for respondent no.1(i) to (iv)

Mr. N. G. Jetha, Advocate for respondent no.4

S.A. Nos. 98 of 2010

Mr. N. G. Jetha, Advocate for the appellant

Mr. B. M. Kharkate, Advocate for respondent no.1 and 2

Mr. R. S. Charpe, Advocate for respondent no.3

CORAM : M. W. CHANDWANI, J.

DATE : JUNE 25, 2025.

1. Heard.
2. By the civil applications filed in S.A. Nos. 137/2010 and 138/2010, the applicants seek condonation of delay, setting aside abatement and permission to bring legal heirs of deceased respondent no.2 – Chandrashekhar Fakiraji Dahikar on record.
3. In view of the reasons mentioned in the applications and no objection given by the proposed legal heirs of deceased respondent no.2, the delay in filing applications for setting aside abatement and bringing legal heirs of deceased respondent no.2, is condoned. Since, the right to sue survives against the legal representatives of deceased respondent no.2, the abatement order against respondent no.2 is set aside. The legal representatives of deceased respondent no.2 are permitted to be brought on record.
4. Necessary amendment be carried out within one week.
5. The civil applications stand disposed of. No costs.
6. Learned counsel appearing for the appellants in S.A. Nos. 169/2010 and 284/2010 submits that he will take steps for bringing legal heirs of deceased appellant no.1 on record within two weeks. So also, the learned counsel appearing for the appellant in S.A. No. 98/2010 submits

that he will take steps to bring legal heirs of deceased respondent no.1 on record within two weeks.

8. Stand over after two weeks.

(M.W.Chandwani, J.)

Diwale