



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

CIVIL APPLICATION (CAS) NO.1152 OF 2025

IN

SECOND APPEAL NO. 346 OF 2007

MAHADEORAO NAMDEORAO AAROO

Vrs.

GIRDHARILAL RAMESHWAR SARDA AND ANOTHER

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

Court's or Judge's Order

Shri Mandar Deshpande, Advocate for applicant/appellant.
Shri B. N. Mohta, Advocate for respondent No.1.

CORAM: ROHIT W. JOSHI, J.

DATE : 20/11/2025.

1. The appellant has expired on 02/04/2024. The appeal is of the year 2007. It is admitted and is pending for final hearing.

2. The legal representatives of the deceased - appellant has filed this application seeking condonation of delay in filing the application for bringing his legal representatives on record, setting aside the abatement and incorporating their names as legal representatives of deceased appellant.

3. It is stated that the legal representatives of deceased - appellant were not aware about the present litigation. Apart from this, there may be communication gap between the advocate and the applicants when the appeal is pending for such a long period.

4. In view of the above, delay of 283 days in filing the application for bringing the legal representatives of the deceased appellant on record is condoned, abatement of appeal

is set aside and permission is granted to bring the names of legal representatives of the deceased - appellant mentioned in Paragraph 5 of the application on record.

5. The civil application is disposed of.

[ROHIT W. JOSHI, J.]

Choulwar