



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

WRIT PETITION NO. 5847/2024

Digamber Narayan Mahale and others Vs. Sahebrao Tajrao Savle and others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. N.R. Raut, Adv. h/f Mr. N.B.Kalwaghe, Advocate for petitioners
Mr. V.V. Joshi, Adv.h/f Mr. A.A. Naik, Senior Adv. for Respondent No.15

CORAM: NIVEDITA P. MEHTA, J.

DATED : 24th SEPTEMBER, 2025

CIVIL APPLICATION (CAO) No. 398/2025

The applicants/petitioners have filed the following applications:

1. Civil Application (CAW) No. 906/2025 – seeking condonation of delay of 376 days in filing the application for setting aside abatement and 436 days in bringing the legal representatives of deceased respondent No.14 on record.

2. Civil Application (CAW) No. 2622/2024 – seeking condonation of delay of 58 days in filing the application for setting aside abatement and 117 days in bringing the legal representatives of deceased respondent No.15 on record.

3. Civil Application (CAW) No. 2621/2024 – seeking permission to carry out amendment for bringing the legal heirs of respondent No.15 on record.

4. Civil Application (CAW) No. 906/2025, for the reasons stated in the application and in the interest of justice, the delay of 376 days in filing the application for setting aside abatement, as well as the delay of 436 days in bringing the legal representatives of respondent No.14 on record, is condoned.

5. Issue notice to the respondents, returnable on 15.10.2025.

6. The learned counsel for the applicants/petitioners is permitted to carry out the necessary amendment to bring the proposed legal heirs of deceased respondent No.14 on record.

7. In Civil Application (CAW) No. 2622/2024, for the reasons stated in the application and in the interest of justice, the delay of 58 days in filing the application for setting aside abatement, as well as the delay of 117 days in bringing the legal representatives of respondent No.15 on record, is condoned.

In Civil Application (CAW) No. 2621/2024:

1. Issue notice to the respondents, returnable on 15.10.2025.
2. The learned counsel for the petitioners is permitted to carry out the necessary amendment by bringing the proposed legal heirs of deceased respondent No.15 on record.
3. Mr. V.V. Joshi, learned counsel, waives service of notice on behalf of the legal heirs of respondent No.15.

(NIVEDITA P. MEHTA, J.)

MP Deshpande