



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

CIVIL APPLICATION (S) NO.1140 OF 2025
IN
SECOND APPEAL (STAMP) NO. 25064 OF 2023

(Shri Shankar Krushna Bujade (Dead) through LR's Smt.Kamlabai wd/o Shankar Bhujade and others vs. Mohan s/o Sheshrao Bujade and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. S.R.Chakravarthi and Mr.A.U.Deshmukh, Advocates for appellant.

CORAM : ROHIT W. JOSHI, J.
JANUARY 13, 2026

1) There is a delay of 73 days in filing the Second Appeal. The respondent though served have not entered appearance. The delay is explained citing medical reasons. Having regard to the contents of the application, as also the fact that the respondents have not entered appearance despite being served, application for condonation of delay is allowed subject to payment of costs of Rs.2500/- to be paid to Public Welfare Account, which is ordered to be opened vide order dated 12/01/2026 passed in SMPIL No.01/2021.

2) Civil Application is disposed of.

CIVIL APPLICATION NO.1227 OF 2025

1) It is stated that appellant No.2 has expired leaving behind appellant Nos.1 and 3 as his only legal representatives.

2) In view of above, permission to delete the name of appellant No.2 is granted. Necessary amendment be carried out forthwith.

3) Civil Application is disposed of.

CIVIL APPLICATION NO.1226 OF 2025

- 1) By this application, the appellant/applicant seeks permission to correct the address of respondent No.6 and to serve the said respondent on the said address.
- 2) Permission is granted to correct the address of respondent No.6 as mentioned in the application. Necessary amendment be carried out before **23/01/2026**.

SECOND APPEAL (STAMP) NO. 25064 OF 2023

- 1) Issue notice to the respondents on following substantial question of law, returnable on **12/02/2026**.

“Whether the learned Courts have erred in not accepting the case of defendants with respect to previous partition in view of admissions in this regard by the plaintiff/witness No.1.”

- 2) *Hamdast* granted.
- 3) In addition to regular mode of service the appellant is directed to serve the respondents by speed post and to file affidavit of service on or before the next date.
- 4) Interim order dated 17/11/2025 shall to continue till next date.

(ROHIT W. JOSHI, J.)