



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

CIVIL APPLICATION (CAS) NOS.148, 148 AND 149 OF 2026
SECOND APPEAL NO.109 OF 2012

Shashikant s/o Babulal Kanhai and others .Vs. Dr. Lalchand s/o Dagdulal Somani

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

Court's or Judge's Order

Mr. I.N. Chaudhari, Advocate for applicants.

Mr. S.V. Kulkarni, Adv. h/f Mr.Abhay Bhide, Advocate for respondent.

CORAM : ROHIT W. JOSHI, J.

DATE : 17/02/2026

1. The appellant No.2 has expired on 01.04.2023. These are applications for bringing his legal representatives on record, setting aside abatement of appeal against him and for condonation of delay in filing application for bringing legal representatives on record. There is a delay of around 8 months and 20 days in filing these applications. It is stated that deceased appellant No.2 was suffering from cancer and was undergoing medical treatment for a prolonged period. It is further stated that applicants were not aware about the pending appeal and immediately, on getting knowledge of the same, they have filed present applications. The applicants are contesting the litigation diligently since the year 1989, when the suit was initially filed.

2. In view of the above, though the respondent strongly opposes the application, delay caused in filing application for bringing legal representatives of appellant No.2 on record is condoned, abatement of appeal against

appellant No.2 is set aside and permission is granted to bring the names of legal representatives of deceased appellant No.2 on record. Necessary amendment be carried out on or before **27.02.2026**.

3. List the appeal for final hearing on **18.03.2026**.

(ROHIT W. JOSHI, J.)

C.L. Dhakate