



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

SECOND APPEAL NO. 332 OF 2007

(PIRAJI DHURAJI KHADSE AND ORS.

VS

AJITKUMAR JAIWANTSA BHISIKAR (DECEASED THRU. LRS.))

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

Court's or Judge's order

Ms. Shruti Najbile, Advocate for appellants.

Ms. D.R.Bhoyar, Advocate h/f Mr. A. P. Tathod, Advocate for respondents
 No.1 to 6.

CORAM : ROHIT W. JOSHI, J.

DATED : MARCH 25, 2026

CIVIL APPLICATION (S) NO. 1217 OF 2023

- 1) By this application, the applicants seek to bring legal representatives of respondent No.2 on record. It is stated that intimation with respect to demise of respondent No.2 was received vide pursis dated 26/06/2023, however, the date of his demise is not known. A prayer is therefore, made that delay, if any, be condoned and abatement, if any, be set aside.
- 2) Having regard to the fact that the applicants/appellants got knowledge about the demise of respondent No.2 on 26/06/2023 and the application is filed on 08/08/2023, delay, if any, caused is condoned, abatement of appeal, if any, is set aside and permission is granted to bring legal representatives of deceased respondent No.2 on record.
- 3) Necessary amendment be carried out before 02/04/2026. Leaned counsel Ms.Bhoyar, waives for legal representatives of respondent No.2.

CIVIL APPLICATION (S) NO. 395 OF 2026

4) Appellant No.1 has expired on 29/09/2019. The application for bringing his legal representatives on record is filed on 15/01/2024. The appeal is filed in the year 2007. It is admitted in the year 2008 and since then that it is pending for final hearing. The delay is sought to be explained by stating that, with passage of time extending over a period of years there was a communication gap between the appellants and their advocate. The explanation offered is plausible. It transpires from the record that the appellants are contesting the litigation diligently since the year 1973.

5) In view of the aforesaid, application for condonation of delay, setting aside abatement of appeal against appellant No.1 and for permission to bring legal representatives of deceased appellant No.1 is allowed. Necessary amendment be carried out before 02/04/2026.

6) The applicants/appellants shall deposit costs of Rs.5000/- in the following account :-

Account Name	:	Public Welfare Account
Account No.	:	129112010001014
Bank Name	:	Union Bank of India,
Branch Name	:	High Court, Civil Lines, Nagpur
IFSC Code	:	UBIN0812978.

7) Since the appeal is of the year 2007, list the appeal for final hearing on 07/04/2026.

(ROHIT W. JOSHI, J.)