



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

SECOND APPEAL NO.433 OF 2023

Smt. Sumitrabai S. Sonare Vs. Hanumantrao V. Bhojer and ors.

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

Court's or Judge's Order

Mr. A. V. Mule, Advocate for appellant.

Ms. M. M. Ghatode, Advocate for respondents

CORAM : ROHIT W. JOSHI, J.

DATE : 18.02.2026.

**CIVIL APPLICATION NOS.796 OF 2024 AND 797 OF
2024**

. This are the applications seeking condonation of delay in filing application for bringing legal representatives of deceased respondent No.2, setting aside abatement against him and for bringing his legal representatives on record. The appeal is of the year 2023. It is pending for admission.

2. It is stated that clients came to know about demise of respondent No.2 from the bailiff report and after making inquiries they have moved application for bringing his legal representatives on record. It is stated that delay is caused in such circumstances, and that the same is *bona fide*.

3. Although the application is strongly opposed, for the reasons stated in the applications, delay caused in filing application for bringing legal representatives of deceased respondent No.2 is condoned, abatement of

appeal against deceased respondent No.2 is set aside and permission is granted to bring legal representatives of deceased respondent No.2 as respondent Nos.2a to 2d.

CIVIL APPLICATION NOS.800 OF 2024 AND 802 OF 2024.

4. The appeal came to be dismissed against respondent No.3 vide order dated 23.04.2024. These are applications seeking condonation of delay in filing restoration application and for restoration of appeal against respondent No.3 is allowed. The respondent No.3 though served has not appeared to oppose the applications. For the reasons stated in the applications delay caused in filing restoration application is condoned and appeal is restored against respondent No.3.

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5. Stand over to 25.02.2026.

(ROHIT W. JOSHI, J.)

Tanmay...