



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

CIVIL APPLICATION NO.1100 OF 2025
IN
SECOND APPEAL NO.266 OF 2007

Mohanrao D. Ghughuskar and ors. **Vs.** Smt. Nagubai K. Ladekar 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. S. P. Kshirsagar, Advocate for appellants.

Mr. K. Dharashiokar, Advocate for respondent No.4.

CORAM : ROHIT W. JOSHI, J.

DATE : 06.02.2026.

. Learned advocate for the appellants states that appellant Nos.3 to 8 have sold their share in the suit property to Smt. Tarabai Mohanrao Ghughuskar and Smt. Shobha Thanpal Wanjari. It is, therefore, prayed that the names of appellant Nos.3 to 8 be deleted and names of the aforesaid purchasers namely Smt. Tarabai Mohanrao Ghughuskar and Smt. Shobha Thanpal Wanjari, be added as appellant Nos.9 and 10. The application is filed by appellant No.1. Copy of sale deed dated 10.05.2022 is filed alongwith the application.

2. In view of the aforesaid, permission is granted to add the names of Smt. Tarabai Mohanrao Ghughuskar and Smt. Shobha Thanpal Wanjari as appellant Nos.9 and 10 in the appeal.

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3. Respondent No.4 and respondent No.8 have expired on 29.04.2021 and 27.01.2022 respectively. There is a delay of 950 days and 677 days respectively in filing application for bringing their legal representatives on record.

4. These are applications for condonation of delay caused in filing application for bringing their legal representatives on record and for permission to bring their legal representatives on record by setting aside abatement.

5. Having regard to the statement made in the application that the appellants gained knowledge about the demise of respondent Nos.4 and 8 upon intimation from their learned advocate, as also, having regard to the fact that the appellants are contesting the litigation since the year 1991, when the civil suit was filed, in the opinion of this Court the delay caused deserves to be condoned.

6. Accordingly, application for condonation of delay in filing application for bringing legal representatives of deceased respondent Nos.4 and 8 is condoned, abatement of appeal against the said respondents is set aside and permission is granted for bringing their legal representatives on record.

7. Necessary amendment be carried out on or before **20.02.2026**.

8. Issue fresh notice to legal representatives of deceased respondent Nos.4 and 8, returnable on **13.03.2026**.

9. The appellants are directed to serve the newly added respondents by speed post, in addition to regular mode of service and file affidavit of service before the returnable date.

(ROHIT W. JOSHI, J.)

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