



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

CIVIL APPLICATION NO.3694 OF 2025

IN

FIRST APPEAL NO.438 OF 2021

Shridhar V. Uttarwar and Another

Vs.

Ashok V. Uttarwar and Another

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. D.N. Dani, Advocate for the Applicants/Appellants.
 Mr. P.V. Potey, Advocate for Respondent Nos.1 and 2.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATED : 16th MARCH, 2026

1. This is an application for condonation of delay of 291 days in bringing legal heirs of respondent No.1 on record by setting aside abatement.
2. Learned counsel for the applicants submits that after the knowledge about the death of respondent No.1 as informed by the counsel, in-fact there is no delay. However, from the date of death, the delay is of 291 days.
3. Learned counsel for the respondent No.2 does not have objection to this application.
4. Having regard to the contents of the application and submissions advanced, the civil application is **allowed**. The delay of 291 days in bringing legal heirs of respondent No.1 is hereby condoned and the abatement is set-aside.
5. In view of above, civil application is **disposed of**.

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6. By this application, the applicants seek permission to bring on record the legal representatives of deceased respondent No.1 whose names are mentioned in para No.2 of the instant application.

7. Learned counsel for the respondents does not have objection to this application.

8. Having regard to the contents of the application and submissions advanced, the civil application is **allowed**. Applicants are permitted to bring on record the names of legal representatives of deceased respondent No.1. Necessary amendment be carried out within a period of one week from today.

9. In view of above, civil application is **disposed of**.

(PRAFULLA S. KHUBALKAR, J.)

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