



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

CIVIL APPLICATION (CAA) NO.55/2025;
CIVIL APPLICATION (CAA) NO.56/2025;
CIVIL APPLICATION (CAA) NO.57/2025
AND
CIVIL APPLICATION (CAA) NO.58/2025
IN
APPEAL AGAINST ORDER NO.01/2024

Shri Sushil s/o Narayan Umbarkar and others
...Versus...
Makhanlal s/o Shrigopal Daga and others

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

Court's or Judge's orders

Mr. Rahul Tajne, Advocate for appellants
Mr. S.G. Karmarkar, Advocate for respondent No.2

CORAM : ROHIT W. JOSHI, J.
DATE : 09/03/2026

1. There is delay of around 9 months and 9 days in filing application for bringing legal representatives of deceased respondent No.2 on record.
2. Statement is made on oath that the appellants were not aware about the demise of respondent No.2. The said statement is not countered.
3. In view of above, delay in filing application for setting aside abatement and application for bringing legal representatives of deceased respondent No.2 on record is condoned. Abatement of appeal against respondent No.2 is set aside and permission is granted to bring legal representatives of deceased respondent No.2 on record.

4. Necessary amendment be carried out on or before 13/03/2026.
5. Advocate Mr. S.G. Karmarkar waives service of notice for the legal representatives of respondent No.2.
6. Civil Applications are allowed and disposed of accordingly.

APPEAL AGAINST ORDER NO.01/2024

List the appeal for hearing on admission on 23/03/2026.

(ROHIT W. JOSHI, J.)