



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

CIVIL APPLICATION NO.739 OF 2025
IN
SECOND APPEAL NO.167 OF 2018

Sau. Janabai G. Urkude **Vs.** Santosh M. Chinchulkar and anr.

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

Court's or Judge's Order

Mr. Ujjwal Wasnik, Advocate for applicants/appellant.
Ms. Riya Dhoble, Advocate h/f. Mr. B. M. Kharkate, Advocate for
non-applicant/respondent No.1.

CORAM : ROHIT W. JOSHI, J.
DATE : 26.03.2026.

. Respondent No.2 has expired on 19.04.2021. This is an application seeking condonation of delay in filing application for bringing his legal representatives on record, setting aside abatement against him and for permission to bring his legal representatives on record.

2. The appeal is filed in the year 2018. Appeals of earlier years are also pending for final hearing. The delay of around 1215 days, although inordinate, has not adversely affected the prospects of final hearing of the appeal.

3. Apart from this, the applicant has explained that respondent No.2 had expired during COVID-19 lock-down period and that there was communication gap between the applicant and his advocate during that period.

4. In view of the aforesaid, application for condonation of delay, setting aside abatement and permission to bring legal representatives of deceased respondent No.2 is **allowed**.

SECOND APPEAL NO.167 OF 2018

5. Issue notice to the legal representatives of deceased respondent No.2, returnable on 16.04.2026.

6. Mr. Mandar Pande, learned Advocate, waives service of notice on behalf of legal representatives of deceased respondent No.2.

(ROHIT W. JOSHI, J.)

Ταηηαγ...