



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

CIVIL APPLICATION NO.449 OF 2026

IN

FIRST APPEAL NO.269 OF 2022

VIDC, Yavatmal Vs. Dadarao Karanji Kumbhare and Others

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. A.S. Athalye, Advocate for the Applicant/Appellant.
 Mr. A.B. Nakshane, Advocate for Respondent No.1.
 Ms. P.T. Joshi, AGP for the Respondent Nos.2 and 3/State.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATED : 19th JANUARY, 2026

1. By this application, the applicant/appellant seeks condonation of delay in filing the application for setting aside abatement against the deceased respondent No.1 and permission to bring on record the legal representatives of deceased respondent No.1.
2. Learned counsel for the applicant/appellant submits that the respondents have filed a pursis dated 12.11.2025, from which they got knowledge about the death of respondent No.1 and the application is filed on 07.01.2026 which is in-fact without delay. However, the delay if counted form the date of death of respondent No.1, is 272 days.
3. Advocate Mr. Nakshane, appears on behalf of legal representatives of respondent No.1 and on instructions submits that they have no objection to this application.

4. In view of this, the civil application is **allowed**. The delay of 272 days in filing the application for setting aside abatement and permission to bring on record the legal representatives of deceased respondent No.1 is condoned. Abatement is set-aside. Applicant/Appellant is permitted to bring on record the legal representatives of the deceased respondent No.1 by carrying out necessary amendment within a period of two weeks from today. Accordingly, the civil application is **disposed of**.

(PRAFULLA S. KHUBALKAR, J.)

Privel