



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

CIVIL APPLICATION (CAS) NO.32 OF 2026, 33 OF 2026
IN
SECOND APPEAL NO.183 OF 2021

Madhav s/o Narayan Chimote Vs. Vishnugupt Constructions Pvt. Ltd. & anr.

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

Court's or Judge's Order

Mr. Singh, Advocate h/f. Mr. S. P. Bhandarkar, Advocate for applicant/appellant.

Mr. P. P. Kothari, Advocate for non-applicant/respondent No.1.

CORAM : ROHIT W. JOSHI, J.

DATE : 13.01.2026.

. These are applications for condonation of delay in filing application for bringing legal representatives of deceased appellant on record, setting aside abatement of appeal against him and for bringing his legal representatives on record.

2. The delay is attributed to a communication gap between the learned Advocate representing the appellant and his legal representatives. Although the learned Advocate for respondent No.1 strongly opposes the applications, with a view to enable the legal representatives of deceased appellant to contest the appeal, applications are **allowed**. Delay caused in filing application for bringing legal representatives of deceased appellant on record is condoned, abatement of appeal against deceased appellant is set aside and permission is

granted to incorporate the names of legal representatives of deceased appellant on record.

3. Necessary amendment be carried out forthwith.

4. Having regard to the delay, which is around eight and half months, it will be appropriate to impose cost of Rs.10,000/- to be deposited in Public Welfare Account, which is ordered to be opened vide order dated 12.01.2026 passed in SMPIL No.01/2021.

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5. Stand over to **21.01.2026**.

6. Interim order dated 27.08.2021 shall continue to the next date, on a statement made by the learned Advocate for the appellant that the appeal will be argued positively on the next date.

7. In the event any request for further accommodation is made, this Court will consider the prayer of learned Advocate for respondent No.1 to vacate the interim order.

(ROHIT W. JOSHI, J.)

Tanmay...