

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

CIVIL APPLICATION (CAF) NO. 3273 OF 2019

WITH

CIVIL APPLICATION (CAF) NO. 3274 OF 2019

WITH

CIVIL APPLICATION (CAF) NO. 3275 OF 2019

IN

FIRST APPEAL (FA) NO. 896 OF 2008

Iqbal Husain S/o Fakruddin Husain

Vs.

Harshvardhan S/o Shivajirao Dhanvatey and ors.

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

Court's or Judge's Order

Shri G. M. Shitut, Advocate for the appellant

Shr D.A. Mohagaonkar, Advocate for respondent nos. 1 and 2

Shri C.A. Anthony, Advocate for respondent no. 3

CORAM : M. G. GIRATKAR, J.

DATE : 30/09/2019

Heard.

Respondent no. 2 died on 15.03.2017. The learned
Counsel for the respondent no. 2 informed the same to the
Court on 02.05.2019.

Looking to the grounds mentioned in the
applications, the applications are allowed. The abatement
is set aside. Legal heirs of respondent no. 2 i.e. (2-a) to
(2-c) be brought on record within a period of two weeks.

Learned Counsel Shri Mohagaonkar for respondent
nos. 1 and 2 has submitted that he has no instruction from

the respondents.

Issue fresh notice to respondent no. 1 and proposed legal heirs of respondent no. 2 returnable after two weeks.

Accordingly, the applications are disposed of.

JUDGE

SMGate