

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s).3908/2012

KALPANAMATI GRIHA RACHNA SANSTHA MARYADT

Appellant(s)

VERSUS

STATE OF MAHARASHTRA DEPARTMENT
OF HOME THROUGH SECRETARY

Respondent(s)

(ONLY CIVIL APPEAL NO.3909 OF 2012, 3912,3914 OF 2012 AND 3916 OF 2012 ONLY TO BE LISTED BEFORE THE Hon'ble Judge in Chambers)

WITH

C.A. No.3909/2012 (IX)

C.A. No.3912/2012 (IX)

(IA No.192673/2022 - APPLICATION FOR CONDONATION OF DELAY IN FILING THE APPLICATION FOR SETTING ASIDE THE ABATEMENT, IA No.142652/2022 - APPLICATION FOR SUBSTITUTION, IA No.192671/2022 - SETTING ASIDE AN ABATEMENT)

C.A. No.3914/2012 (IX)

C.A. No.3916/2012 (IX)

Date : 03-07-2023 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPANKAR DATTA
[IN CHAMBER]

For Appellant(s)

Mr. Ashish Wad, Adv.
Mrs. Tamali Wad, Adv.
Mr. Ajeyo Sharma, Adv.
Ms. Kirti Sharma, Adv.
Mr. Sidharth Mahajan, Adv.
M/s. J S Wad And Co, AOR

Mr. Shantanu M Adkar, Adv.
Mr. Braj Kishore Mishra, AOR
Mrs. Rekha Rani, Adv.

Mr. Ravindra Keshavrao Adsure, AOR

Mr. Susheel Joseph Cyriac, Adv.
Mr. Nirnimesh Dube, Adv.
Mr. Ankur S. Kulkarni, Adv.

M/s. Lex Regis Law Offices, AOR

Mr. Shantanu M Adkar, Adv.

Ms. Rekha Rani, Adv.

Ms. Bharti Tyagi, AOR

For Respondent(s)

Dr. Ravindra Chingale, Adv.

Mr. Siddharth Dharmadhikari, Adv.

Mr. Aaditya A. Pande, AOR

Mr. Bharat Bagla, Adv.

Mr. Sourav Singh, Adv.

Mr. Nishant Ramakantrao Katneshwarkar, AOR

Mr. Ashish Wad, Adv.

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Mr. Ravindra Keshavrao Adsure, AOR

Mr. Yash Prashant Sonavane, Adv.

Mr. Lav Mishra, Adv.

Mrs. Lav Mishra, Adv.

**UPON hearing the counsel the Court made the following
O R D E R**

Civil Appeal Nos.3909/2012, 3912/2012, 3914/2012 & 3916/2012

1. Respondent no.1 could not be served through alternate mode, as yet.
2. Learned counsel, on instructions, submits that the respondent no.1 is no longer alive and seeks deletion of the respondent no.1.
3. Particulars of respondent no.1 shall stand deleted from the array of

respondents at the risk and responsibility of the appellants.

Civil Appeal No.3912/2012

1. The appellant has passed away on 19.05.2021 leaving behind her two sons and a daughter as her surviving heirs. Applications for substitution, condonation of delay and setting aside abatement have been filed by the heirs of the deceased appellant no.1.
2. Since, the sons of the deceased appellant no.1 are already on record, this Court directs, upon condonation of delay and upon setting aside abatement, that the daughter of the deceased appellant no.1 be brought on record as substituted appellant.
3. Amended memo of parties be filed within a week.
4. All the applications stand allowed.

(ARJUN BISHT)
COURT MASTER (SH)

(RENU BALA GAMBHIR)
COURT MASTER (NSH)