

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 4162 OF 1997
IN SA/357/1996

SHANTIDEVI GOVIND CHOUDHARY
VERSUS

RUPCHAND SHIVRAM MAHAJAN (L.RS.) DWARKABAI & OTHERS

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Advocate for Applicant : Shri Dixit S.S. h/f Shri Dixit V.J.
Advocate for Respondents 1A to 1C & 2 to 4 : Shri Kute R.L.
h/f Shri Dhorde V.R.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: April 16, 2015

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PER COURT :-

1. Second Appeal No.357 of 1996 has been admitted on 14.8.1996. By this application, filed in 1997, the applicant prays for bringing the L.Rs. of respondent No.1 on record, who had passed away on 31.5.1996. It is further submitted that the legal heirs of the deceased respondent No.1, namely, respondent Nos.1A to 1C are the respondents 2 to 4 in this application as well as in the Second Appeal. They are already on record and, therefore, respondent Nos.1D and 1E need to be brought on record as the remaining legal representatives of the deceased respondent No.1.
2. Circumstances supporting the prayers made in the application are set out in paragraph Nos.1 to 5.
3. Shri Kute, learned Advocate appearing on behalf of respondents 1A to 1C, who are respondent Nos.2 to 4, has no objection. Respondent 1D and 1E, though served, have not caused their appearance.
4. For the reasons set out in the application, the same is allowed. Since L.Rs. of the deceased respondent No.1 i.e. respondent Nos.1A to 1C are already on record, no orders are required to be passed. In so far as respondents 1D and 1E are concerned, the applicant shall bring the said respondents on record within a period of two weeks from today.

(RAVINDRA V. GHUGE, J.)

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