

IN THE HIGH COURT OF JUDICATURE OF BOMBAY,
BENCH AT AURANGABAD

**CIVIL APPLICATION NO. 6691 OF 2005
IN
SECOND APPEAL NO. 27 OF 1998**

Smt. Shantabai W/o Ramchandra Berad
(Since deceased) through her legal heirs ... Applicants

Versus

Smt. Vaijyanta zumbar Chemte
& others ... Respondents

.....
Mr. G.V. Wani , Advocate for Applicants

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 19th MARCH, 2015

PER COURT :

1. Appellant No. 1 Shantabai has passed away 21-01-2002. Her husband Ramchandra has passed away long ago. Shri Wani learned Advocate submits that appellant Nos. 2 to 7 are the Legal Representatives of the first appellant and as such the Second Appeal would not abate owing to the passing away of the first appellant. Civil Application is filed only to bring this aspect to the notice of the Court.

2. Office remarks indicate that respondent Nos. 1 & 2 have been served. Respondent No. 3 has been served through his

mother and respondent No. 4 is served through her husband.

None has entered an appearance.

3. Nevertheless, in the light of the peculiar facts recorded herein above which indicate that the Legal Representatives of the deceased first appellant are already before this Court while instituting a Second Appeal, no orders are required on the Civil Application. The same is, therefore, disposed off.

(RAVINDRA V. GHUGE, J.)