

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

CIVIL APPLICATION NO. 2859 OF 2015
IN
SECOND APPEAL NO. 78 OF 2015

Latif Banemiya Deshpande, deceased,
through Legal Representatives : -
Radhidabee A. Latif and others .. Applicants

vs

Khalil Rajjakmiya Deshpande, deceased,
through Legal Representatives :-
Rekha @ Rehana Khalil and others .. Respondents

Mr. Girish S. Rane, Advocate for applicants
Mr. S. N. Deshmukh, Advocate for respondents No. 1C, E and F

CORAM : SUNIL P. DESHMUKH, J.

8TH DECEMBER, 2015

ORDER:

1. Taking into account that respondent no. 4 had expired during pendency of regular civil appeal and the proceedings therein proceeded ex-parte, learned counsel Mr. Rane submits that the situation can be covered by rule 4 of Order XXII of the Code of Civil Procedure, 1908. He, therefore, requests that the application be suitably considered and he be allowed to bring legal representatives of deceased respondent no. 4 on record.

2. Having regard to the submissions and the contents of the application, in the interest of justice, civil application is allowed in terms of prayer clauses A, B, C and D.

3. Civil application stands disposed of.

SUNIL P. DESHMUKH, J.

pnd