

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 25 OF 2001
(Vithal Wamanrao Vs. M.S.R.T.C.)

WITH

C.A. NO. 2272/2015 IN F.A. NO. 25/2001
(Vithal Waman Mukhede since deceased through L.Rs.
Shivraj Vithal Mukhede and another Vs. M.S.R.T.C.)

Mr. Amol S. Gandhi, Advocate for the
appellant/applicants

Mr. M.K. Goyanka, Advocate for respondent No.1

CORAM : M.T. JOSHI, J.

DATE : 11/03/2015

ORAL ORDER :

1. Heard both sides.
2. Mr. Amol S. Gandhi, learned counsel for the appellant/applicants relies on the ratio laid down in the case of "*Sampati Lal Vs. Hari Singh*", reported in *AIR (RAJ) 1985-0-174*.
3. In the circumstances, keeping open the issue as to the loss of estate, the delay caused in filing the present application (C.A. No. 2272/2015) for bringing the legal representatives of deceased appellant on

record is hereby condoned and the said civil application is allowed. The legal representatives be brought on record of first appeal within a period of two weeks. Thereafter, the first appeal be fixed for final hearing.

4. Civil Application No. 2272/2015 stands allowed and disposed of accordingly.

[M.T. JOSHI]
JUDGE

npj/fa25-2001