

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION STAMP NO.29214 OF 2014
IN
SECOND APPEAL NO.291 OF 1993

Rashidabee w/o Yasinsaheb (died)
and others ... APPLICANTS

VERSUS

Munwaruddin s/o Bade Miyan
(deceased through L.Rs) & others ... RESPONDENTS

Advocate present.

CORAM : VIJAY S.KULKARNI
DATE : 11/02/2015

Heard learned Advocate for the applicant. Perused the contents of the civil application filed for bringing L.Rs. of deceased respondent no.1 Munwaruddin s/o Bademiyan on record. Thus, the present civil application is filed by the applicant and taken the steps for bringing L.Rs. of deceased respondent no.1.

It has been contended by the appellant that respondent no.1 Muniroddin has died on 28.09.2014 at village Neknoor. The respondent no.1A to 1D are the L.Rs. of deceased respondent no.1. The present C.A. is filed by the appellant on 07.10.2014. This contention has supported by the verification affidavit of the deponent Sk. Rahim Sk.Hasan. It is the matter of record that the death certificate of respondent is not filed by the appellant. The appellant is relying upon the statement made in para no.1 of the civil application. There is no contest to this application.

In view of the above, it is clear that the application filed for bringing L.Rs. of deceased respondent no.1 is within limitation and there is no contest. Therefore, I find no difficulty to pass following order.

ORDER

The civil application is hereby allowed.

L.Rs. of deceased respondent no.1 Munwaruddin s/o Bade Miyan be taken on record by carrying necessary amendment to that effect without delay.

Accordingly civil application stands disposed of.

REGISTRAR (JUDL)

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... RESPONDENTS

Advocate present.

CORAM : VIJAY S.KULKARNI

DATE : 11/02/2015

Heard learned Advocate for the applicant. Perused the pursis filed by the Advocate. The pursis Exh.A indicates that the applicant no.1 has died and in Civil Application Stamp No.29214/14 she has been shown in title clause as dead. Therefore, it is prayed that the name of applicant no.1 Rashidabee be deleted as she is no more. Considering the pursis filed on record Exh.A, name of appellant no.1 be deleted from the cause title of C.A. Stamp NO.29214/14.

REGISTRAR (JUDL)

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VERSUS

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(deceased through L.Rs) & others

... RESPONDENTS

Advocate present.

CORAM : VIJAY S.KULKARNI

DATE : 11/02/2015

Heard learned Advocate for the applicant. Perused the contents of pursis Exh.B. It has been contended by the appellant that applicant no.3-A namely Sarwar Miyan s/o Waziruddin is died and in C.A. Stamp No. 29214/14 he has been shown in title clause as dead. Thus, in view of the pursis filed by the appellant vide exh.B, name of appellant no.3-A be deleted from the title clause of C.A. Stamp NO.29214/14.

REGISTRAR (JUDL)

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and others

... APPLICANTS

VERSUS

Munwaruddin s/o Bade Miyan
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... RESPONDENTS

Advocate present.

CORAM : VIJAY S.KULKARNI

DATE : 11/02/2015

Heard learned Advocate for the applicant.
Perused the contents of pursis Exh.C. According to the
appellant, applicant no.6-B Sk.Chand Hasan Sahab has
died and in C.A. stamp NO.29214/14, he has been shown in
title clause as dead. Thus it is prayed that the name
of appellant no.6-B Sk.Chand be deleted as he is dead.
Considering the contents of the pursis Exh.C, name of
appellant no.6-B be deleted from the title clause of
C.A. Stamp NO.29214/14.

REGISTRAR (JUDL)