

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 6105 OF 2016
IN SA/729/2005

RAMKRUSGHNA GAJMAL PARDESHI & ANR.
VERSUS
BABU GAJMAL PARDESHI LRS LEELABAI BABURAO PARDESHI (DEAD)
VILAS BABURAO AND OTHERS

CORAM: VIJAY S.KULKARNI
REGISTRAR (JUDL)

DATED: 31/08/2016

1. The present civil application has been filed by the applicants for bringing L.Rs. of deceased respondent no.1 Babu Pardeshi on record. The applicants have interalia contended that respondent no.1 died on 21.12.2015 leaving behind him respondent no.1(b)(c)(d)(e) and (f) as his L.Rs. The application for bringing L.Rs. on record is filed by the applicants on 08.02.2016. As per the office note, the civil application is in time. There is no contest. A copy of death certificate of deceased respondent no.1 is filed on record. The copy indicates that Baburao Jadhav @ Pardeshi died on 21.12.2015. The learned Advocate for applicants has made an endorsement on the presentation form that though the name of deceased respondent no.1 appears as Babu Pardeshi on title in the C.A. and the name of respondent no.1 as appears Baburao on death certificate, but both are one and the same person. In view of the above, I find no difficulty to pass following order.

ORDER

Civil Application No.6105/2016 is hereby allowed.

The applicants/original appellants are permitted to bring on record L.Rs. of deceased respondent no.1 Babu Pardeshi within a period of limitation.

Necessary amendment be carried out in memo of appeal without delay.

Civil application is accordingly disposed of.

REGISTRAR (JUDL)