

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

16 CIVIL APPLICATION NO. 5337 OF 2016 IN FA/171/2002

SOW SANTOSHI LAKHIMCHAND AGARWAL DIED THR LRS  
SONIYA AND ORS  
VERSUS  
SURESH KISHANRAO CHITEWAR AND ORS

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Advocate for Applicants : Mr B R Kedar  
Advocate for Respondents : Mr A B Gatne

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CORAM : V.K. JADHAV, J.  
Dated: April 26, 2016

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**PER COURT :-**

1. Heard both sides.
2. The learned counsel appearing for the respondent No.3- Insurer submits that, married daughters of deceased Santoshi cannot represent deceased Santoshi and therefore, this application is liable to be dismissed.
3. The learned counsel for the applicant submits that the husband and son of deceased Santoshi died long back and in view of this, married daughters have filed present application for substitution of their names.
4. By keeping this point open whether they are entitled for the compensation by substitution, for the reasons stated in the application, civil application is allowed in terms of prayer Clause "B and C."
5. Civil Application stands disposed of.

**( V.K. JADHAV, J. )**

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aaa/-