

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 9847 OF 2016
IN SA/497/2000

CHANDRABHAGABAI JOTIRAM YENARE DIED LRS DNYANESHWAR AND
ORS
VERSUS
MATHURABAI BHAGWAT KALE

CORAM: VIJAY S.KULKARNI
REGISTRAR (JUDL)

DATED: 24/08/2016

1. The present civil application came to be filed by the applicant inter alia contending that the appellant Chandrabhaga @ Chandrabhagabai d/o Jotiram Yenare who was called as Chandrabhaga Mahadeo Kuchekar, died on 29.1.2016 at Bhota, Tq. Edalabad (Muktainagar). The deceased was known by two names. She had two sons including the deponent. Her son Keshav who was brother of the applicant pre-deceased Chandrabhagabai on 02.06.2015. The cause of action in the suit survive. The application is filed for bringing L.Rs. of deceased Chandrabhagabai i.e. 1A to 1E.

2. On going through the record, it appears that Chandrabhagabai Kuchekar died on 29.01.2016. A copy of death certificate is filed by the applicants in support of their contentions. The present application is filed on

07.04.2016. The date of death is 29.01.2016. Thus, it appears that C.A. is filed in time. There is no contest to this civil application. Hence, I proceed to pass following order.

ORDER

Civil application No.9847/2016 is hereby allowed.

The applicants are permitted to bring on record L.Rs. of deceased Chandrabhagabai Yenare within a period of limitation.

The necessary amendment be carried out regarding bringing on record L.Rs. of deceased appellant.

Civil application stands disposed of accordingly.

REGISTRAR (JUDL)