

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.35833/2016group

**59 CIVIL APPLICATION STAMP NO. 35833/2016 in
IN FAST/23032/2016
WITH
CA/STAMP NO.35834/2016 IN FAST/23467/2016**

HAFEZABI SYED JAKERIYA DECEASED THROUGH LRs,
VERSUS
THE KRUSHI UTPANNA MARKET COMMITTEE, KADA &
another.

...
Mr.Bhapkar S.L., Adv., for applicants.
AGP for Respondent State: Mr. G.O.Wattamwar
Advocate for R.1 : Mr. Q.R.Syed h/f Mr.Syed G R

**WITH
CIVIL APPLICATION NO. 10901 OF 2016
IN FAST/23032/2016
WITH
CA/10899/2016 IN FAST/23467/2016 WITH
CA/10900/2016 IN FAST/23467/2016 WITH
CA/10902/2016 IN FAST/23032/2016**

...
CORAM : P.R. BORA, J.
Dated: November 28, 2016

...
PER COURT :-

1. Shri S. L. Bhapkar, learned Counsel for the respondent No.1, has tendered across the Bar two applications with a prayer to take the legal representatives of deceased respondent on record in respective matters. In fact, the appellant ought to have submitted such applications. It appears that since the appellant did not take any steps for bringing on record the legal -

AGP/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(2)

CA NO.35833/2016group

representatives of deceased respondent in respective matters, the legal representatives themselves have approached this Court. In both the applications it is averred that the legal representatives, whose names are stated in the respective applications, are the only legal representatives of respective deceased respondent. Learned Counsel further submitted that in the execution proceedings the names of these legal representatives are already taken on record.

2. In view of the submission so made, both the Civil Application Stamp Nos.35833/2016 and 35834/2016 are allowed. The legal representatives of deceased respondent, as named in the present applications, be taken on record. Necessary amendment be carried out within one week by the appellant. Learned Counsel for the applicant has also tendered across the Bar reply to the applications for condonation of delay and stay. The same is taken on record. S.O. to 7th of December, 2016.

(P.R. BORA, J.)

...