

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

931 CIVIL APPLICATION NO. 9796 OF 2017
IN FA/3080/2016

ANIL KISAN SHINDE

VERSUS

THE BRANCH MANAGER, UNITED INDIA INSURANCE CO. LTD.,
SANGAMNER AND ANR

...
Advocate for Applicant : Mr. Rajendra K. Temkar
Adv for Respondent 1 : Mr. A.B. Gatne
Adv. for Respondent No. 2A to 2C : Mr. K.N. Shermale

CORAM : K.K. SONAWANE, J.

DATE : 14th November, 2017.

PER COURT:

1] Heard learned counsel for the applicant and learned counsel for respondent No.1. Perused the application. This is an application for taking LRs of deceased respondent No.2 Vishvanath on record.

2] Admittedly, one Anil Kisan Shinde has filed the present first appeal against the impugned judgment and award dated 11.7.2014 passed by the learned Member, MACT, Sangamner in MACP No. 14 of 2009. During the pendency of appeal the respondent No.2 Vishwanath Dhondiba Naikwadi passed away on 3.6.2011. The applicants are the Legal heirs of deceased respondent No.2 and they are intending to appear in the proceeding.

3] Considering the nature of the proceeding, I do not find any impediment to allow the application. For the reasons stated in the application, the application is allowed in terms of prayer clause (B). The abatement of the proceeding following death of respondent No.2 Vishwanth

Dhondiba Naikwadi is quashed and set aside The applicants are permitted to be brought on record as LR's of deceased respondent No.2. The delay caused in filing the civil application for taking LR's on record is hereby condoned. Necessary amendment be carried out by the appellant within a period of three weeks.

4] The application is disposed of.

[K.K. SONAWANE]
JUDGE.

grt/-