

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

CIVIL APPLICATION NO. 12375 OF 2017 IN SA/88/2008

GANESH @ SHIVSHANKAR RUDRAJI BENGAR
VERSUS
RADHABAI RUDRAJI BENGAR DIED LRS VITTHAL
BALIRAM MULGAR

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Advocate for Applicant : Mr Sawant Eknath P.
S. S. Rathi Adv For R/sole

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CORAM : V.K. JADHAV, J.
Dated: November 17, 2017

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PER COURT :-

1. Heard both sides.
2. During the pendency of second appeal 88/2008 respondent sole died on 8.12.2016. Learned counsel submits that, applicant-original appellant came to know about abetment order dated 22.3.2017 and thereafter moved this application and as such delay occurred.
3. Learned counsel appearing for proposed legal representative has not seriously resisted the application.
4. In view of this and for the reasons stated in the application, application is allowed in terms of prayer clause B, C and D. Civil application disposed of.

(V.K. JADHAV, J.)

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