

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

**949 SECOND APPEAL NO. 177 OF 2018
WITH CA/3090/2018 IN SA/177/2018 WITH CA/7904/2018
IN SA/177/2018**

RAMKISHAN SAHEBRAO MAGAR (DIED) THR. LRS. KUSUMBAI
AND OTHERS

VERSUS

ASHAMATI SUBHASHRAO SHELKE AND OTHERS

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Advocate for Appellants : Shri V.D.Salunke

Advocate for Respondent Nos.1,2 & 4:

Shri C.V.Thombre

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CORAM : P.R. BORA, J.

Date: July 24, 2018

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PER COURT :-

1 Learned Counsel for the appellants submitted that though respondent no.3 has expired, his legal heirs are already there on record. The learned Counsel submits that respondent Nos.1, 2 and 4 are the legal heirs of deceased respondent No.3. The learned Counsel further submits that respondent No.5 is missing.

2 In the circumstances, the learned Counsel has sought leave to delete the names of respondent Nos.3 and 5 from the array of the respondents.

3 Leave is granted. The appellants to carry out necessary amendment within one week.

4 List the matter for further consideration on 07.08.2018.

5 Interim relief, if any, to continue till then.

6. Civil Application No.7904 of 2018 is disposed of since not pressed by the applicants/appellants.

(P.R. BORA, J.)

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