

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**24 CIVIL APPLICATION NO.13452/2017
IN SA/271/1992 WITH CA/2098/1990 IN SA/271/1992
WITH SA/271/1992**

GANESH JAIRAM (DECEASED) THR.LRS. JAIRAM & OTHERS
VERSUS
SURYAKANT GANESH

...
Advocate for Appellants : Shri Ajinkya Reddy
Advocate for Respondent : Shri R.S.Wani h/f. Shri A.S.Bajaj

...
CORAM : P.R. BORA, J.
Date: August 06, 2018

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PER COURT :-

1 By filing Civil Application No.13452 of 2017, the legal heirs of deceased applicant/appellant Nos.1 and 2 are sought to be taken on record.

2 Learned Counsel for the appellants submitted that son of applicant/appellant Nos.1 and 2 namely Jairam is already there on record, however, the daughters of deceased appellant Nos.1 and 2 were inadvertently not taken on record.

3 Though, the application is opposed by the respondent, I do not see any reason for not allowing the present application in view of the fact that one of the appellants i.e. son of deceased appellant Nos.1 and 2 is there on record and prosecuting the Appeal. In the circumstances, I deem it appropriate to pass the

following order:-

ORDER

- I) Civil Application No.13452 of 2017 is allowed and disposed of.
- II) The legal heirs of deceased applicant/appellant Nos.1 and 2 as are mentioned in the application be taken on record.
- III) Necessary amendment be carried out within two weeks.
- IV) Delay caused in filing the Civil Application No.13452 of 2017 is condoned.
- V) Abatement if any, stands set aside.
- VI) List the Second Appeal No.271 of 1992 for final disposal on 30.08.2018.

(P.R. BORA, J.)

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SPT