

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

CIVIL APPLICATION NO.14349 OF 2017 IN
SECOND APPEAL NO.605 OF 2016

Suryabhan Balaji Nangare ...APPLICANT

VERSUS

Shankar s/o Yashwant Landge & ors. ...RESPONDENTS

.....
Ms M.V. Kakde, Advocate for applicant
Shri K.D. Jadhav, Advocate for R.No.2C & 4C
Shri A.D. Ostwal, Advocate for R.No.2-C
Shri N.V. Gaware, Advocate for respondent No.2-D
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CORAM: A.M. DHAVAL, J.

DATED : 2nd November, 2018.

ORAL ORDER :

1. Registry should note that service on any adult member of the family whether nephew or cousin is valid of the person receiving the notice or summons is member of the family of the respondent. The issue does not survive as Advocate Mr. K.D. Jadhav waives service for all unserved respondents and files appearance for unserved respondents. Mr. A.D. Ostwal, learned counsel appears for respondent No.2-C. Mr. Nitin Gaware, learned counsel appears for respondent No.2-D.

2. Respondent No.1 Shankar s/o Yashwant Landge died on 28.8.2017. This application for bringing his legal representatives on record filed on 9.10.2017, is within limitation. Hence it is allowed in terms of prayer clause (B). Legal representatives of respondent No.1 be brought on record. Mr. Ostwal, learned counsel waives service for respondent No.2-C. Mr. Gaware, learned counsel waives service for respondent No.2-D. Advocate Mr. K.D. Jadhav waives service for remaining legal representatives. Appeal be fixed for admission.

(A.M. DHAVAL)
JUDGE

fmp/