

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

**Civil Application No. 03406 of 2019**  
**(In First Appeal No. 01296 of 2011)**

District : Dhule

Chayabai w/o. Pandit Patil  
& 03 others.

.. Applicants.

**versus**

Maharashtra State Road Transport  
Corporation, Dhule Division,  
Dhule.

.. Non-applicant.

.....

*Mr. C.C. Deshpande, Advocate, for the applicant.*

*Mr. D.S. Bagul, Advocate, for the non-applicant.*

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**CORAM : SMT. VIBHA KANKANWADI, J.**

**DATE : 14TH AUGUST 2019**

**ORAL ORDER :**

01. Present application has been filed by the legal representatives of the respondent in the first appeal, who was the original claimant. It has been contended that the respondent has expired on 28-12-2014. He is survived by the present applicants. Though there is absolutely no mention as to why the applicants could not move this Court earlier or the Advocate did not intimate this Court about death of the respondent, as contemplated under Order XXII Rule

10A of the Code of Civil Procedure, 1908, yet, since they themselves want to appear in the matter, the question of delay will not be there. So also, there is no compliance as aforesaid.

02. The application, therefore, stands allowed and disposed of accordingly. The appellant to carry out necessary amendment in the title within one week.

( Smt. Vibha Kankanwadi )  
JUDGE

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