

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

Civil Application No. 01850 of 2019
(In Second Appeal No. 0328 of 2013)

District : Osmanabad

Machindra s/o. Dagadu Shinde. .. Applicant.

versus

Dagadu s/o. Jagdev Shinde
& others. .. Respondents.

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Mr. S.K. Naikwade, Advocate, for the applicant.

*Mrs. M.A. Kulkarni, Advocate, for respondent no.03
(caveator).*

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 05TH FEBRUARY 2019

ORAL ORDER :

Heard learned Advocate appearing for the applicant.

02. Present application has been filed for bringing legal representatives of respondent no.03 on record. Respondent no.03 expired on 29-10-2018. He survived by respondents no.3A to 3E. The right to sue survives against them. The application is within limitation.

03. In the light of above, the application is allowed. Legal representatives of deceased respondent no.03 are permitted to be brought on record. Necessary amendment be carried out within 14 days from today. After amendment, notice of second appeal be issued issued to respondents no.3A to 3E, to be made returnable on 12th March 2019. Humdast allowed.

(Smt. Vibha Kankanwadi)
JUDGE

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