

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

914 CIVIL APPLICATION NO.10080/2019 IN SA/767/2004

DHUDKU MANSARAM PARDHI, DIED, THROUGH L.RS. DEORAM DHUDKU
PARDHI (PAWAR) AND OTHERS

VERSUS

GABA JYOTIRAM PARDHI, DECEASED, THROUGH L.RS. FAKIRA GABA
PARDHI AND OTHERS

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Advocate for Applicants : Shri B R Warma

CORAM: V.L. ACHLIYA, J.

DATE: 23.08.2019

PER COURT :

1] The applicants claim to be L.Rs. of sole appellant.
They have moved this application to bring them on record
for the reasons set out in detail in the application.

2] Learned counsel for the applicants submits that the
appellant — Dhudku Mansaram Pardhi died on 13.6.2019.
The application is filed within time. The cause of
action survives to prosecute the appeal by the
applicants.

3] In view of the facts mentioned in the application,
the cause of action survives for the legal heirs of
deceased appellant to prosecute the appeal and the

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application is within time, I am inclined to allow the application.

4] Accordingly, the application is allowed in terms of prayer clause [B]. Necessary substitution be carried out within two weeks.

(V.L. ACHLIYA, J.)