

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

22 CIVIL APPLICATION NO.1550 OF 2018
IN FAST/35732/2016 WITH CA/3029/2017 IN FAST/35732/2016

NARAYAN RAMKRISHNA AMBHORE AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...

Advocate for Applicants : Mr. Adkine Sonaji K
AGP for Respondent No. 1 : Mr. S.N. Morampalle.
Advocate for Respondent NO. 2 : Mr. Bhalerao Sudhir G.

CORAM : MANGESH S. PATIL, J.

DATE : 18/12/2019

PER COURT :

Heard.

2. Issue notice to the respondents. The learned A.G.P waives service for the respondent No. 1. The learned advocate Mr. Bhalerao waives service for the respondent No. 2.

3. The appellant No. 2 has died. By way of this application his legal representatives are seeking to come on record.

4. Since it is a joint appeal by four brothers. Even if one of whom has died, the cause of action would survive to the surviving appellants. Consequently, there is no question of any abatement and its setting aside.

5. The application is allowed. The legal representatives of the appellant No. 2 are allowed to be brought on record. Necessary amendment to be carried out within two weeks.

(MANGESH S. PATIL, J.)

mkd