

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

970 CIVIL APPLICATION NO.11456 OF 2019
IN SAST/22751/2018

MADHUKAR SAKHARAM YANDE DIED LRS. DILIP
MADHUKAR YANDE AND OTHERS
VERSUS
THE MUNICIPAL CORPORATION AURANGABAD

...
Advocate for Applicants : Mr.Shaikh Rameez
Raja Sk.Maqsood
...

CORAM : V.L.ACHLIYA,J.
DATE : 27.09.2019

PER COURT:

1] This Application is filed to bring the legal heirs of deceased applicant – appellant, namely, Madhukar Sakharam Yande, on record for the reasons set out in detail in the Application with condonation of delay.

2] In brief, it is the contention of the learned counsel for the applicants that applicant – appellant, namely, Madhukar Sakharam Yande died during pendency of the Appeal. Appeal is yet to be admitted. It is submitted that cause survives for the applicants to prosecute the Appeal.

3] On due consideration of the submissions in the light of the facts stated in the Application and cause survives for the applicants-appellants, I am of the view that the application deserves to be allowed. Accordingly, Application is allowed in terms of prayer clauses 'B' and 'C'.

4] Necessary substitution / amendment be carried out within two weeks.

5] Civil Application is disposed of in above terms.

6] List the Civil Application No.11442 of 2018 for hearing on 18th October, 2019.

[V.L.ACHLIYA]
JUDGE

DDC