

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

**940 CIVIL APPLICATION NO.13305 OF 2019
IN FA/801/2003**

**LAXMIBAI LAXMANRAO KAWTIKWAR (DIED) THR LRS ASHOK
AND ORS
VERSUS
P. ARUKKANI P. PEUMEIL AND ANR**

...
Advocate for Applicants : Mr. Kiran M. Nagarkar
...

CORAM : V.L. ACHLIYA, J.

DATED : 22nd NOVEMBER, 2019

PER COURT:-

. The present application is filed by the legal representatives of deceased respondent no.1 who died on 01.05.2019. Learned counsel for the applicants submits that the appeal is filed in the year 2003. The appellant – insurance company has not taken steps, therefore the applicants have *suo moto* appeared in the matter and filed this application to bring their names on record as a legal heirs of deceased respondent no.1 It is submitted that the cause survives for them to prosecute the appeal. The application is within time.

2. In view of the fact pleaded in the application and cause survives to prosecute the appeal by the applicants, the application deserves to be allowed. Accordingly the application is allowed in terms of prayer clause B. Necessary

amendment/substitution be carried out within two weeks from the date of this order.

3. The application stands disposed of.

4. List the appeal for passing appropriate order on 09.01.2020.

(V.L. ACHLIYA)
JUDGE

SPR