

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CIVIL APPLICATION (CAS) 566 OF 2019

IN

CIVIL APPLICATION 586 OF 2018

IN

SECOND APPEAL ST 6476 OF 2018

(Ramlal Mannalalji Varma (dead) thr LRS..vs.. Akbar s/o. Mehaboob Beg & anr)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri Abhijeet Deshpande, counsel for applicants.
Shri Shashikant B. Bangde, counsel for respondents 1 & 2.

CORAM: ROHIT B. DEO, J.

DATE: 26th MARCH, 2019.

CIVIL APPLICATION (CAS) 566 OF 2018

The learned counsel for the appellants seeks deletion of the name of appellant 1(a). The application is allowed at the risk of the appellants.

CIVIL APPLICATION 586 OF 2018

The applicants are the legal representatives of Ramlal Mannalalji Varma who died on 25.4.2016 during the pendency of Regular Civil Appeal 36 of 2012.

2 Ramlal Mannalalji Varma was the sole respondent in Regular Civil Appeal 36 of 2012. Since his legal heirs – representatives were not brought on record, it is irrefutable that the judgment and decree passed by the appellate Court on 20.12.2017 is nullity.

3 In this situation, this application is allowed and the applicants are permitted to prefer Second Appeal. The application is disposed of.

JUDGE

rsb