

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 476 OF 2010**

IN

SECOND APPEAL NO. 455 OF 1999

Sadashiv Nana Shinde. ..Applicant.

v/s.

Sonubai Ramchandra Yadav (deceased)

through his heirs & ors. ..Respondents.

Mr. Rahul S. Kate, advocate for applicants.

Mr. Dilip Bodake, advocate for respondents.

CORAM : SMT. SADHANA S. JADHAV,J.

DATE : FEBRUARY 18, 2020.

P. C. :

1 This is an application filed for bringing legal heirs of the respondent No. 6 on record. It is seen from the record that respondent No. 6 Prabhakar Dhindiram Suryavanshi has died on 19/6/2007. Notice issued to respondent No. 6 was returned with remark “dead” and therefore, the applicant has filed the present application on 22/8/2008. The matter was never circulated. It had appeared on board on 11/12/2017. Rule was issued in the said order and rule was made returnable 16 weeks. Respondent Nos. 6A to 6C have been served as per the affidavit of service. Application was filed for bringing legal

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heirs of respondent No. 2B on record. Learned Counsel for the respondent has informed the learned Counsel for the applicant that respondent No. 2B is alive and hence, the said prayer becomes infructuous.

2 The application stands disposed of. The matter be listed for hearing on the final hearing board commencing from 16th March, 2020.

3 Leave to carry out amendment in the cross-appeal as per the amendment carried out in the Second Appeal.

[SMT. SADHANA S. JADHAV, J.]