

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

**CIVIL APPLICATION NO.4497 OF 2021 IN FA/3816/2017
WITH
CA/4498/2021 IN FA/3816/2017**

**Prabhu Laxman Jagtap (died), Through L.Rs Dattatray Prabhu Jagtap
Versus
The State Of Maharashtra And Another**

Mr.V.V.Ingale, Advocate for applicant
Mr.S.N.Kendre, AGP for respondents

**CORAM : R.G. AVACHAT, J.
DATE : OCTOBER 20, 2021**

ORDER :-

The appeal is preferred by the sole claimant. He passed away before 723 days. As such, the appeal, in fact, stood abated. In the interest of justice, Civil Application No.4497 of 2021 is allowed in terms of prayer clauses (A) and (B), on condition that the applicants/appellants shall not be entitled for component of interest or any other monetary benefits for the delayed period of 723 days in bringing on record the legal representatives of the deceased original appellant.

2. For the reasons given in the application, Civil Application No.4498 of 2021 for amendment so as to enhance the claim, is allowed in terms of prayer clause (B).

[R.G. AVACHAT, J.]