

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

940 CIVIL APPLICATION NO.1120 OF 2021  
IN SA/318/2012  
WITH CA/4850/2020 IN SA/318/2012

INDUMATI VASANT JOSHI AND OTHERS

VERSUS

SHRIKANT VITTHAL JOSHI AND OTHERS

...

Mr. S.Y. Mahajan, Advocate for applicants

Mr. J.R. Patil, Advocate for respondent No.1 in SA

Mr. P.B. Paithankar, Advocate for respondent Nos.3 and 4 in SA

Miss. T.V. Jadhav, Advocate h/f Mr. S.P. Shah, Advocate for respondent Nos.5  
and 6 in SA

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 04<sup>th</sup> FEBRUARY, 2021.

**PER COURT :**

1 Present application has been filed for bringing the legal representatives of respondent No.6 on record, who has expired on 04.09.2020.

2 Heard learned Advocate Mr. S.Y. Mahajan for applicants, learned Advocate Mr. J.R. Patil for the respondent No.1, learned Advocate Mr. P.B. Paithankar for respondent Nos.3 and 4 and learned Advocate Miss. T.V.

Jadhav holding for learned Advocate Mr. S.P. Shah for respondent Nos.5 and 6.

3           The application is within limitation. Further, the suit was for possession and declaration and it is stated that the respondent No.6 was the subsequent purchaser. Under such circumstance, right to sue survives, and therefore, it is necessary to bring his legal representatives on record.

4           Application stands allowed.

5           Legal representatives of respondent No.6 be brought on record as shown in the application in the Second Appeal.

6           The necessary amendment be carried out within a week.

7           After the amendment is carried out, issue notice to the proposed respondents No.6-A to 6-E, to be made returnable four weeks thereafter.

**( Smt. Vibha Kankanwadi, J. )**

agd