

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**22 CIVIL APPLICATION NO.2048 OF 2021
IN AOST/8594/2020**

HANUMANDAS JAGANNATH KABRA DIED TH LRS. DEVKANYA
HANUMANDAS KABRA AND ORS
VERSUS
SATYANARAYAN JAGANNATH KABRA DIED THR LRS. KAMLABAI
SATYANARAYAN KABRA AND ORS

...
Advocate for Applicants : Mr. V.D. Patnoorkar

...
CORAM : SMT. VIBHA KANKANWADI, J.
Dated: February 22, 2021

...
PER COURT :-

1. Present application has been filed to bring legal representatives of the deceased appellant on record. Sole appellant expired on 25.10.2020 and in view of the pandemic rules, the application, which is filed on 28.1.2021 is within limitation.
2. Original appellant is the plaintiff, who had filed a suit for declaration and injunction in respect of immovable property and, therefore, right to sue survives. Under such circumstance, the application deserves to be allowed. It is not even necessary to issue notice to the respondent taking into consideration the fact that the application is within limitation and the present applicants are the legal representatives of the appellant. Accordingly, the application stands allowed and disposed of. Necessary amendment be carried out within a week.

(SMT. VIBHA KANKANWADI, J.)

...