

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 CIVIL APPLICATION NO.3702 OF 2021
IN SA/1133/2004

ABDUL RASHID ALISAHEB QURESHI DECEASED LRS. BEGAMBEE ABDUL
RASHID QURESHI AND OTHERS
VERSUS
THE CHIEF OFFICER MUNICIPAL COUNCIL LATUR AND OTHERS

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Advocate for Applicants : Mr. Shah Subodh P.
Mr. MN Shaikh, Adv. h/for Mr. S.S. Kazi For R/2,4 And 10.

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CORAM : SMT. VIBHA KANKANWADI, J.
Dated: August 03, 2021

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PER COURT :-

1. It appears that since the matter was not earlier got circulated on 17.7.2021, notices were directed to be issued to the respondents. An application was filed to bring the legal representatives of deceased appellant No.2 on record. It was within limitation and they themselves were before the Court and, therefore, there was no necessity to issue notice to the respondents. However, it appears that the said order is wrongly passed. Under such circumstance, when the application is within time and the right to sue survives, the application stands allowed and disposed of.

2. The applicants, i.e. legal heirs of deceased appellant No.2, be brought on record. Necessary amendment to that effect be carried out within one week.

(SMT. VIBHA KANKANWADI, J.)

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