

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

905 CIVIL APPLICATION NO.2493 OF 2021
IN SA/683/2016

PRABHAKAR DHONDU BARHATE DECEASED LRS. NARMADA PRABHAKAR
BARHATE AND OTHERS

VERSUS

MANDAKINI MADHUKAR BARHATE AND OTHERS

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Mr. G.S. Rane, Advocate for applicants

Mr. R.B. Deshmukh, Advocate for respondent Nos.1, 2, 3A, 4 and 5

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 03rd JULY, 2021.

PER COURT :

1 Present application has been filed for bringing the legal representatives of the appellant No.1, who died on 24.02.2020, on record.

2 The learned Advocate Mr. R.B. Deshmukh appearing for respondent Nos.1, 2, 3A, 4 and 5 has strong objection for grant of the application, on the ground that the application is not within limitation.

3 In view of the extension of period of limitation by the Hon'ble Apex Court in Suo Moto Writ Petition No.3 of 2020, the application will have

to be held as within limitation. The appeal is admitted and Second Appeal is in respect of immovable property, right to sue survives. Hence, application stands allowed in terms of prayer clause 'A'. Amendment be carried out within a period of one week.

(Smt. Vibha Kankanwadi, J.)

agd