

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

904 CIVIL APPLICATION NO.4011 OF 2021
IN SA/363/2020

PRATIBHA VIJENDRANATH PATIL
VERSUS
TUKARAM BALIRAM PATIL DIED THRO. LRS. SUNANDA
TUKARAMPATIL AND OTHERS

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Advocate for Applicant : Mr. D. R. Markad h/f Mr. Kakade N. K.

Advocate for Respondents : Mr. Hon Ashwin V.

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 08.10.2021

ORDER :-

. Present application has been filed for bringing the legal representatives of deceased respondent No.1 – Tukaram Baliram Patil on record, who expired on 26.01.2021. The application is within limitation. Learned Advocate Mr. A. V. Hon appearing for respondent No.1 submits that he has instructions to appear for legal representatives of respondent No.1. Since the right to sue survives as the suit was for specific performance of contract, declaration, possession and injunction, the application deserves to be allowed. Accordingly, it is allowed.

2. The legal representatives of deceased – respondent No.1 be brought on record.

3. Necessary amendment to that effect be carried out within a period of one week.

4. Learned Advocate Mr. A. V. Hon may file Vakalatnama on behalf of legal representatives of respondent No.1 within a period of one week. Under such circumstance, there is no necessity to issue notice to legal representatives of respondent No.1. Mr. A. V. Hon waives notice for them.

[SMT. VIBHA KANKANWADI, J.]

scm