

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**903 CIVIL APPLICATION NO.8824 OF 2021
IN SA/72/2016**

RAMCHANDRA YADAV MALI (MAHAJAN) AND OTHERS

VERSUS

NIRMALBAI VASUDEO MALI (MAHAJAN) LRS GULAB AND OTHERS

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Advocate for Applicants : Mr. S. B. Yawalkar

Advocate for Respondent No.1 : Mr.S.T.Mahajan h/f Mr. Waramaa B.R.

...

**WITH
CIVIL APPLICATION NO.8825 OF 2021
IN CA/7062/2019
IN SA 72/2016**

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**CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 09-09-2021.**

ORDER :

1. Present application has been filed to bring the legal representatives of deceased appellant on record. He expired on 24-03-2021. The suit that was filed was for partition and separate possession which came to be decreed. The appeal filed by original defendants has been dismissed. They have come before this Court in second appeal.

2. Under such circumstances, the right to sue survives. The civil application is within limitation and, therefore, the application stands

allowed and disposed of.

3. The legal representatives of the appellant be brought on record on or before 16-09-2021.

4. In view of Civil Application No.8824 of 2021 is allowed, Civil Application No.8825 of 2021 filed by the respondent for the same cause, stands disposed of.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-