

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

916 CIVIL APPLICATION NO.7717 OF 2021
IN SA/180/2021

VIJAYSING JIVALYA GAVIT AND ANR
VERSUS
RUBJI JIVALYA GAVIT AND OTHERS

...
Advocate for Applicants : Mr. Ambilwade Saisagar A
Advocate for Respondent Nos.1, 2, 3a and 3b : Mr. M. G. Kochar
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 10.08.2021

ORDER :-

. Present application has been filed for bringing legal representatives of deceased respondent No.2 on record, who expired on 26.04.2021. The application is within limitation. The appellants are the original plaintiffs, who had filed the suit for partition and separate possession and, therefore, the right to sue survives.

2. The application stands allowed and disposed of.

3. Amendment to be carried out immediately. After the amendment is carried out, issue notice to the proposed legal representatives of respondent No.2, returnable on 07.09.2021.

[SMT. VIBHA KANKANWADI, J.]

scm