

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**10 CIVIL APPLICATION NO.7718 OF 2021
IN SA/513/2009**

KARBHARI SAKHARAM SIRSATH AND ORS
VERSUS
DEVRAO PUNJABA KHAIRNAR LRS DATTU AND ORS

...
Advocate for Applicants : Mr. Patil B. N.

...
CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 29-11-2021.

ORDER :

1. Present application has been filed for bringing the legal representatives of respondent No.3B on record.
2. Respondent No.3B expired on 13-05-2020. Present applicants/ appellants are the original plaintiffs who had filed suit for declaration and possession. The suit was decreed. Defendants were directed to handover the possession of the suit property to the plaintiffs. Original defendants preferred Regular Civil Appeal No.163 of 2004 which was allowed by learned District Judge-4, Aurangabad on 30-04-2009, thereby reversing the decree passed by the Trial Court and dismissing the suit. Thus, taking into consideration the facts of the case, the right to sue survives against respondent No.3B and, therefore, his legal representatives are required to be brought on record.
3. In view of above, application stands allowed and disposed of. Necessary amendment be carried out on or before 13-12-2021.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-