

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

907 CIVIL APPLICATION NO.12239 OF 2021  
IN SA/665/2018

DURGABAI KHUSHALCHAND RATHI DIED THROUGH LRS

BANSILALKHUSHALCHAND RATHI AND OTHERS

VERSUS

SADAKUNNWAR PANNALAL BHARADIYA DIED THROUGH LRS PANNALAL

KANHAIYALAL BHARADIYA AND OTHERS

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Mr. V.S. Undre, Advocate for applicants

Mr. R.R. Sancheti, Advocate for respondent Nos.1A to 1C

Mr. R.G. Nirmal, Advocate h/f Mr. S.S. Gangakhedkar, Advocate for the  
respondent No.3

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 18<sup>th</sup> NOVEMBER, 2021

**PER COURT :**

1 Present application has been filed for bringing the legal representatives of respondent Nos.2A and 2B on record. They have expired on 14.05.2021 and 21.04.2021 respectively. The present application is within limitation. Present applicants are the heirs of original defendant No.2. Present respondent Nos.1A to 1I are the legal representatives of the original

plaintiff, who had filed Special Civil Suit No.83/2001 for declaration of half share, possession and the mesne profits. Under the said circumstance, the right to sue survives and, therefore, it is necessary to bring the legal representatives of the respondent Nos.2A and 2B. Application, therefore, stands allowed and disposed of.

2           The legal representatives be brought on record.

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

4           After the amendment is carried out, issue notice to added respondents, to be made returnable after six weeks.

**( Smt. Vibha Kankanwadi, J. )**

agd