

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

18 CIVIL APPLICATION NO.12334 OF 2021
IN CA/3296/2018

LAXMI VISHNU PAWAR
VERSUS
PREMANAND KISHANRAO YANGAD died THROUGH LRS. ABHIJIT
PRAMANAND YANGAD AND OTHERS

...

Advocate for Applicant : Mr. Patil B. N.
Advocate for Respondent No.1A : Mr. Dhananjay Deshpande

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 22.11.2021

ORDER :-

1. Present application has been filed for bringing the legal representatives of respondent No.1 on record. Respondent No.1 expired on 28.04.2021. Photocopy of the death certificate was filed by the Advocate for respondent No.1 along with the pursis Exhibit- 'X'. Under such circumstance, when the application is within limitation and the suit that was filed by respondent No.1 was for injunction and there was cross suit, the right to sue survives and, therefore, his legal representatives to be brought on record.

2. The application stands allowed and disposed of.

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

4. Since learned Advocate Mr. Deshpande is also appearing for legal representatives of respondent No.1, he waives notice for respondent No.1A.

[SMT. VIBHA KANKANWADI, J.]

scm