

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE**

MISC. CIVIL APPLN. NO. 148 OF 2021
IN
FIRST APPEAL NO. 72 OF 2016

PARVATI MADEVA GAONKAR AND 2 ORSApplicants

$$V_S$$

ASHA MAHARUDRA NAIK GAONKAR
AND 7 ORSRespondents

Adv. S. S. Kakodkar for the Applicants.

REGISTRAR'S ORDER

This is an application for bringing legal representatives of deceased Appellant no.2, late Fondu Paico Gaonkar. The application is supported by an affidavit of Santosh Fondu Gaonkar.

Heard the Ld. Adv. S. S. Kakodkar for the applicants. He submits that the Appellant no.2, Fondu Paico Gaonkar alias Fondu Paik Gaonkar expired on 23.02.2021 leaving behind Appellant no. 3(a) to 3(h), respondent nos. 6 & 7 and proposed legal representatives as 2(a) & 2(b). He submits that except 2(a) & 2(b) rest of the above legal representatives are already on record. So he prays to allow the said application.

On perusal of the death certificate, it reveals that the Fondu Paik Gaonkar died on 23.02.2021. Though in the appeal memo the name mentioned as Fondu Paico Gaonkar, in the application, the appellants have mentioned that he was also known as Fondu Paik Gaonkar and the affidavit is filed in support of it. So, it reveals that the death certificate relates to appellant no.2.

Accordingly, the appellants right to sue continues to survive. The application to bring Legal Representatives on record is filed on 14th April, 2021 and it is within limitation. Hence, the application is allowed. The applicant shall carry out the amendment within 14 days. Note of the amendment be also taken on CIS for updating the names of the parties.

The application is disposed off in above terms.

Date: 9th December, 2021

(Kiran A. Bagi)
Registrar (Judicial)