

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 751 OF 2021
IN
CRIMINAL APPEAL NO. 495 OF 1999

Shri. Rajendra Vitthal Khedekar (deceased)	
Through his widow	
Mrs.Swarupa Rajendra Khedekar	...Applicant
Versus	
State of Maharashtra	...Respondent

Ms. Rujuta Jain for the Applicant.

Mr. P.H.Gaikwad, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.
DATE : 12th MARCH, 2021

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks permission to continue with the aforesaid appeal as the appellant has expired pending the hearing and final disposal of his appeal.

3. The appellant has challenged the judgment and order of conviction and sentence dated 16/06/1999. The said appeal preferred by the appellant, was admitted by this Court vide order dated 30/09/1999 and he was enlarged on bail. During the pendency of the aforesaid appeal, the appellant expired on 11/01/2021. The death certificate of the appellant is on page No.7 of the aforesaid application. Since the applicant intends to pursue the aforesaid appeal, she seeks her impleadment in the aforesaid appeal, being the wife of the appellant.

4. Considering that the applicant is the legal heir of the original appellant, the application is allowed. Learned Counsel for the sole appellant is permitted to amend the cause title of Criminal Appeal No.495 of 1999 substituting the name of the applicant as appellant. Amendment to be carried out within three weeks from today.

5. Application is accordingly disposed of on the aforesaid terms.

6. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.