

1

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAS) NO.333/2021
IN
SECOND APPEAL NO.41/2014

Smt. Venutai Haribhau Khode through LR's Ghanshyam s/o Haribhau Khode,
Vs.

Nilkanth Laxmanrao Ghongade through LR's Smt Shobha wd/o Nilkanth Ghongade and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri D.I. Jain, Advocate for appellant.
Shri N.B. Kirtane, Advocate for respondent nos. 1 to 3.

CORAM : S.M. MODAK, J.
DATE : 09/09/2021.

Heard both the learned Advocates. In fact respondents have intimated about death of the sole appellant on 01/01/2021 and even they have intimated about who are the legal representatives by way of Pursis Stamp No.10/2021.

2. Now, the application is filed on behalf five named legal representatives. The present application is filed in time.

3. Learned Advocate Shri Jain has filed power on behalf of legal representatives. Now, he has submitted that notice be issued to the proposed appellant nos. 1, 2, 4 and 5. Once, he has filed the power, the Court will not issue notice as prayed by him unless he withdraws the power.

4. At this juncture, I deem it proper to allow the application and direct for deletion of name of sole appellant and addition and substitution of the names of proposed legal representatives mentioned in the application.

2

5. Necessary amendment be carried out within two weeks. If learned Advocate for the appellant also wants to withdraw for the proposed legal representatives except appellant no.3, he is at liberty to take appropriate steps.

6. Matter be kept after **two weeks**.

JUDGE

R.S. Sahare