

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Civil Application (A) No.2/2021 in Appeal Against Order
NO.11.2010

(Chandrashekhar thr Lrs and others V Omprakash Agrawal and
others)

Office Notes, Office Memoranda of Coram,
orders
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's

Ms I.P. Khisti, Adv for appellant.
Shri T. Darda, Adv or resp. no.4.

CORAM : S.M. MODAK, J.
DATE : 25-03-2021

The respondent no.2 expired on 09-09-2020. The copy of Death Certificate is filed as per Pursis St. No.05/2021. The appellant wants to bring his legal heirs on record. This respondent no.2-Santoshkumar was the appellant no.2 in Regular Civil Appeal No.55/2009. So his legal heirs are required to be brought on record as right to sue survives. Application has been filed in time. Hence, the order :-

ORDER

- (a) The application is allowed.
- (b) The name of deceased respondent no.2 be deleted.
- (c) The legal heirs i.e. respondent nos. 2(a) to 2(d) be brought on record.
- (d) Issue notice to the legal heirs.
- (e) In addition to regular mode of service, the appellant is directed to serve the legal heirs by R.P.A.D.

(f) Notice is made returnable after four weeks.

(S.M. Modak, J.)