

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

Civil Application [CAS] No.132 of 2021
with
Civil Application [CAS] No.134 of 2021
in
Second Appeal No.98 of 2011

Smt. Tarabai wd/o Chandrakant Vaidya [dead] through L.Rs.

vs.

Dyaneshwar Punjaramji Akare & others

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

Court's or Judge's Orders

Mrs. M.N. Hiwase, Advocate for the Appellants.

CORAM : S.M. MODAK, J.
DATE : 7st JULY, 2021.

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

Appellant No.2-Kamlakar Vaidya expired on 30/09/2019. So also, appellant No.3-Prafulla Vaidya expired on 12/11/2020. Photocopies of their death certificates are annexed. Both are the sons of the original plaintiff/original appellant-Tarabai herein. Right to sue survives. These present two applications have been filed in time. Hence, the following directions.

- i. Name of appellant No.2-Kamlakar Vaidya and name of appellant No.3-Prafulla Vaidya be deleted and the names of their legal representatives as mentioned in the applications be brought on record.
- ii. Necessary amendments be carried out within a period of four weeks.

iii. Copy of amended appeal memo be served on the respondents.

iv. The applications are disposed of.

v. The matter be kept in the first week of August, 2021.

JUDGE

**sandesh*