

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

35 CIVIL APPLICATION NO.10385 OF 2022
IN FIRST APPEAL NO.4421 OF 2016

PRASAD RAGHUNATH NIRWAL (DIED) THROUGH
L.Rs.YAMUNABAI & OTHERS
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

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Advocate for the applicants : Mr.V.D.Bhise
AGP for Respondent-State : Mrs.D.S.Jape
Advocate for Respondent no.3 : Mr.B.R.Surwase

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CORAM : S.G.DIGE, J.

DATE : 18.07.2022

P.C. :

1] Heard the learned counsel for the applicants, learned AGP for respondent nos.1 and 2 and learned counsel for respondent no.3.

2] The learned counsel for the applicants submits that original appellant, namely, Prasad Raghunath Nirwal is died during pendency of the appeal, hence, his heirs and legal representatives are necessary to be taken on record, hence, requested to allow the application.

3] Considering the submissions of all learned counsel and the reasons mentioned in the application, application is allowed in terms of prayer clauses-A and B. Delay for filing this application is condoned.

- 4] Civil Application is disposed of accordingly.
- 5] The appellant to take steps in that regard.

[S.G.DIGE]
JUDGE

DDC