

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

929 CIVIL APPLICATION NO.674 OF 2022
IN FIRST APPEAL NO.1364 OF 2010

...
VISHWANATH NATHRAO KENDRE SINCE DECEASED
THROUGH L.RS. NATHRAO & OTHERS
VERSUS
BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD.
& ANOTHER

...
Advocate for the applicants : Mr.Pradeep Tambade h/f.
Mr.S.S.Jadhavar
Advocate for respondent no.1 : Mr.S.G.Chapalgaonkar
Advocate for respondent no.2 : Mr.P.R.Tandale
...

CORAM : S.G.DIGE, J.
DATE : 04.08.2022

P.C. :

1] Heard the learned counsel for the applicants and the learned counsel for the respondents.

2] The learned counsel for the applicants submits that during pendency of the appeal, original claimant, namely, Vishwanath Nathrao Kendre is died. The applicants are the legal heirs of deceased Vishwanath, hence, their names be taken on record. The learned counsel further submits that there is delay for filing the present application, it be condoned.

3] The learned counsel for respondent no.1 pointed out that appeal is already dismissed as withdrawn, hence, for record purpose it is necessary to take legal heirs of deceased on record. Respondent no.1 has deposited the amount before the Labour Court, Latur.

4] Considering the submissions of both learned counsel, application is allowed. Delay for filing Civil application is condoned. The applicants' name be taken on record as legal heirs of deceased Vishwanath Nathrao Kendre.

5] Civil Application is disposed of accordingly.

[S.G.DIGE]
JUDGE

DDC