

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

908 CIVIL APPLICATION NO.7892 OF 2022
IN FAST/5432/2020

SUBHASH GUNDERAO GADHAVE (DIED) THROUGH L.Rs.
GANGABAI SUBHASH GADHAVE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

...

Advocate for Applicants : Mr.U.B.Bilolikar
AGP for Respondent-State : Mr.P.M.Kulkarni

...

CORAM : S.G.DIGE, J.

DATE : 26.07.2022

P.C. :

1] Heard the learned counsel for the applicants and learned AGP for respondent nos.1 and 2.

2] The learned counsel for the applicants submits that original claimant, namely, Subhash Gunderao Gadhave is died during pendency of the appeal, hence, his heirs and legal representatives are necessary to be taken on record. The learned counsel for the applicants further submits that as the original claimant is died, hence, he may be exempted from filing his undertaking.

3] Considering the submissions of both the learned counsel and reasons mentioned in the application,

application is allowed in terms of prayer clauses-B and C.
The applicants to take steps within two weeks.

4] The deceased claimant is exempted from filing
his undertaking. The heirs and legal representatives of the
deceased shall file undertaking.

5] Civil Application is disposed of accordingly.

[S.G.DIGE]
JUDGE

DDC