

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

928 CIVIL APPLICATION NO.9635 OF 2022
IN SA/47/2015 WITH CA/1906/2015 IN SA/228/2014 WITH
CA/3388/2014 IN SA/228/2014 WITH WP/1242/2014 WITH
CA/1904/2015 IN SA/47/2015 WITH SA/228/2014

SHANTABAI VITHAL ABNAVE DIED LRS. POPAT VITHAL
ABNAVE AND ORS
VERSUS
HIRAMAN HARIBHAU ABNAVE AND ORS

.....
Advocate for Applicants : Mr. S.L. Bhapkar
Advocate for Respondents : Mr. F.R. Tandale
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CORAM : BHARAT P. DESHPANDE, J.
DATED : 4th AUGUST 2022

PER COURT:-

1. This is an application for bringing on record the legal representatives of sole appellant, who expired on 7.2.2020.
2. Heard.
3. It is the contention of learned counsel for the applicants that sole appellant expired just prior to imposition of lock down on account Covid-19 pandemic and period of limitation was suspended till 28.2.2022 by the Hon'ble Apex Court, therefore, the application filed on 15.3.2022 is within limitation. He submits that right to sue survives to the legal heirs and therefore, the applicants be brought on record as legal heirs of sole appellant.

4. Considering the above submissions, application needs to be allowed. Hence, the following order:-

O R D E R

- I. The civil application stands allowed.
- II. The legal representatives of sole deceased appellant are permitted to be brought on record as appellant 1-A to 1-D. Amendment be carried out within 14 days from today.
- III. Civil application stands disposed of.

(BHARAT P. DESHPANDE, J.)

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