

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

**906 CIVIL APPLICATION NO. 4416 OF 2018
IN SA/99/2018**

**BARIKRAO ABA THORBOLE
VERSUS
BAPU VITHAL KADAM AND OTHERS**

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Advocate for Applicant : Mr. Patil h/f Mr. S.S. Choudhary.
Advocate for Respondent Nos. 1 to 3: Mr. Nitin Jagdale. h/f Mr. V.D.
Salunke.
Advocate for Respondent No. 5 : Mrs. Mayuri G. Kasturikar.

**CORAM : MANGESH S. PATIL, J.
DATE : 16.03.2022.**

PER COURT :

This is an application for transposing the appellant no. 1 in the second appeal as respondent No.5 on the ground that during pendency of the second appeal she has entered into a compromise with respondent Nos. 1 to 4.

2. Appellant No. 1 has been independently served and has appeared through advocate Mrs. Kasturikar.

3. For the reasons mentioned in the application particularly when the factum of such compromise has not been traversed, the application is allowed as prayed for. Necessary amendment to be carried out.

4. After such transposition, the learned advocate Mrs. Kasturikar waives service for the respondent No.5 in the second appeal.

(MANGESH S. PATIL, J.)

mkd/-