

IN THE HIGH COURT OF JUDICATURE AT BOMBAY BENCH
AT AURANGABAD

922 CIVIL APPLICATION NO. 3039 OF 2013
IN SECOND APPEAL NO. 462 OF 2011

BALWANTSINGH SUMERSINGH RATHOD DECEASED
THROUGH LRS FULKUWAR W/O BALDEVISING RATHOD AND
OTHERS
VERSUS
SUGANKUWAR W/O SUMERSING RATHOD DECEASED AND
OTHERS

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Advocate for Applicants : Mr. Vinod B. Jadhav h/f
Mr. Ashwin V. Hon
Advocate for Respondent No. 5A : Mr. Mohit S. Shah h/f
Mr. Shailesh P. Brahme

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CORAM : BHARAT P. DESHPANDE, J.

DATED : 27 JULY 2022

PER COURT :-

1. Record shows that respondent nos. 3 and 4 expired. Respondent no.5A is served and learned counsel Mr. M. S. Shah h/f Mr. S. P. Brahme is appearing for respondent no.5A. Respondent nos. 5B and 5C are not served though notices were issued as no reports are received till date about service of notice to them. It seems that respondent no.5A is the brother of respondent nos. 5B and 5C.

2. Learned counsel for the applicants submitted that he will have to take fresh steps for bringing on record the legal heirs of deceased respondent nos. 3 and 4. Similarly, he will have to take fresh steps to serve respondent nos. 5B and 5C separately as the reports are not received.

3. In view of the above facts, the present application stands disposed of with liberty to the applicants to file fresh application for bringing on record the legal heirs of deceased respondent nos. 3 and 4 and also effecting service separately on respondent nos. 5B and 5C.

BHARAT P. DESHPANDE, J.

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