

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

**909 CIVIL APPLICATION NO.6887 OF 2022
IN AO/120/2014**

**BHARAT ARJUNRAO ALKUTE (DIED BY LRS) POOJA BHARAT ALKUTE AND
ORS
VERSUS
MIRZA SARFRAJ BAIG MIRZA AHMED BAIG AND ORS**

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Advocate for Applicants : Mr. Vivek Vasantrao Bhavthankar.
Advocate for Respondent No. 12 : Ms. Pournima Salve h/f Mr. S. J. Salunke.

**CORAM : MANGESH S. PATIL, J.
DATE : 05.05.2022.**

PER COURT :

Respondent Nos. 9, 10, 11/A to 11/C have refused to accept the notices. They are treated as duly served.

2. This is an Appeal from Order by the original plaintiff being aggrieved and dissatisfied by the order passed by the lower appellate court under Order XLI Rule 23A of the Code of Civil Procedure remanding the suit for decision afresh.

3. By way of this application it is now being averred that during pendency of this appeal, the original appellant/plaintiff has sold the suit property and the purchaser is now being sought to be added as appellant No. 2. The other side has not filed any reply.

4. For the reasons mentioned in the application, the application is allowed. Necessary amendment to be carried out within six weeks.

(MANGESH S. PATIL, J.)

mkd/-