

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

**CIVIL APPLICATION NO.8872 OF 2022
IN SA/591/2017**

MIRABAI BABAN THUBE, DECEASED THROUGH LRS.
KALPANA BHANUDAS JAGDALE AND OTHERS
VERSUS
PRAMILA DINKAR MULE, DECEASED LRS.
KIRAN DINAKAR MULE AND OTHERS

...
Advocate for Applicants : Mr. Nikhil S. Jaju
...

CORAM : BHARAT P. DESHPANDE, J.

DATED : 03rd AUGUST 2022

PER COURT :

Heard learned counsel for applicants.

2. This is an application for bringing legal heirs of deceased respondent, who died on 10-06-2020.
3. Learned counsel for applicants submits that the present application is filed on 22-04-2022, however, during Covid-19 pandemic Hon'ble Apex Court has suspended period of limitation upto 28th February 2022. Considering the said period, present Application for bringing legal heirs is filed within limitation. The death certificate is produced on record.
4. There are three legal heirs of sole respondent, who are shown as respondent Nos.1A to 1C.

5. Learned counsel for applicants submits that right to sue survived and therefore legal heirs of sole respondent are required to be brought on record. Since the application is filed within time excluding the period for suspension by the Hon'ble Apex Court, application needs to be allowed. Hence the order :-

ORDER

- (I) The Application stands allowed.
- (II) Respondent Nos. 1A to 1C are permitted to be brought on record as legal heirs of deceased respondent.
- (III) Amendment in the title clause of Second Appeal be carried out within a period of 14 days from today. Thereafter, issue notice to the legal heirs of sole respondent.
- (VI) The application stands disposed off accordingly.

(BHARAT P. DESHPANDE, J.)