

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.3961 OF 2022
IN SA/705/2015 WITH CA/15891/2015 IN SA/705/2015 WITH
CA/3963/2022 IN SA/705/2015

SARASWATIBAI SIDHLINGAPPA VYAVHARE AND OTHERS
VERSUS
ANNAPURNA MANOHAR KHADKE AND OTHERS

...
Advocate for Applicants : Mr. Kedar Balbhim R.
Advocate for Respondent Nos.1 and 2 : Mr. R.K. Ashtekar
...

CORAM : MANGESH S. PATIL, J.

DATE : 21.03.2022

PER COURT :

This is an application for bringing on record the legal representatives of respondent No.4 who died on 16.08.2021. The application is in time. It is allowed. Necessary amendment is allowed to be carried out. Issue notice after the amendment is carried out to the legal representatives of the respondent No.4. Mr. Ashtekar learned advocate who appears for respondent Nos.1 and 2 waives service on their behalf even in the Second Appeal.

2. The Civil Application No.3963/2022 is filed for setting aside the abatement *qua* the respondent No.3 with a prayer to condone the delay.

3. Issue notice to the respondents. Learned advocate Mr. Ashtekar waives service on behalf of both the proposed legal heirs of respondent No.3. He does not have any objection.

4. The Application is allowed. Even the amendment is allowed to be carried out. Mr. Ashtekar waives service in the Second Appeal on their behalf.

(MANGESH S. PATIL, J.)

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