

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

26 CIVIL APPLICATION NO.13700 OF 2021
IN FIRST APPEAL NO.864 OF 2018

SANTOSH KIRTIKUMAR HATTE
VERSUS
VIJAY BALAJI KAWADE (DIED) THR LRS. BALAJI AND
OTHERS

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Advocate for Applicant : Mr.S.P.Urgunde
Advocate for Respondent nos.1A and 1B : Mr.N.L.Dhobale
Advocate for respondent no.1C : Mr.S.B.Madde

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CORAM : S.G.DIGE, J.
DATE : 18.07.2022

P.C. :

1] Heard the learned counsel for the applicant.

2] The learned counsel for the applicants submits that respondent no.1, namely, Vijay Balaji Kawade is died during pendency of the appeal, hence, his heirs and legal representatives are necessary to be taken on record.

3] Considering the submissions of the learned counsel for the applicants and the reasons mentioned in the application, application is allowed in terms of prayer clauses-B and C. Delay for filing this application is condoned.

4] Civil Application is disposed of accordingly.

5] The applicant to carry out amendment within two weeks.

6] List First Appeal No.864 of 2018 on 23rd August, 2022.

[S.G.DIGE]
JUDGE

DDC