

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

**CIVIL APPLICATION NO.13716 OF 2021 IN
FIRST APPEAL ST. NO. 13424 OF 2021**

Jalindar Yashwant Thosar & others

Applicants

Versus

The State of Maharashtra & others

Respondents

Mr. Abhijit S. More, advocate for the Applicants

Mr. P. N. Kutti, AGP for Respondents No.1 & 3.

Mr. A. M. Gaikwad, advocate for Respondent No.2.

CORAM : SANDIPKUMAR C. MORE J.

DATE : 15th September, 2022.

PC :

Heard.

Leave to correct name of applicant no.4 in the Civil Application and Respondent No.2 in the main appeal memo.

This is an application for bringing on record legal representatives of deceased Respondent No.2 Waman Yashwant Thosar who admittedly died on 31st July, 2020, as per the copy of the death certificate annexed with the application. Though there is delay in bringing on record such legal representatives, but the same can be condoned as the right to defend still survives.

As such, the application is allowed in terms of prayer

clause “B”. The appellant-acquiring body i.e. present Respondent No.2 is directed to carry out the amendment within stipulated period.

Stand over to 13.10.2022.

(SANDIPKUMAR C. MORE)
JUDGE

adb