

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

**CIVIL APPLICATION NO.368 OF 2022
IN CA/9677/2021 IN WP/9795/2019**

**BAPU DIGAMBAR JAWALE DIED THROUGH L.RS.
VERSUS
NEMICHAND SHAMLAL THOLE DIED THROUGH L.RS. SUNIL
NEMICHAND THOLE AND OTHERS**

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Advocate for Applicants : Mr. Abasaheb D. Shinde
Advocate for Respondent Nos. 1A, 2, 3A to 3C, 7, 4A to 4C, 8B & 8C
: Mr. P. R. Katneshwarkar

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 15th SEPTEMBER, 2022

PER COURT :

1. This application is filed for bringing legal heirs of respondent Nos.1B, 5, 6 and 9 on record and for issuance of notices to unserved respondents.

2. Learned advocate representing respondent No.1A opposed civil application on the ground that he is contesting party and not the other respondents whose legal heirs are sought to be brought on record. So also, the unserved respondents are not contesting parties. He submits that since *status quo* is granted in favour of applicant, he is trying to prolong the matter.

3. Be that as it may. Civil application is allowed in terms of prayer clauses 'B' and 'C'.

(NITIN B. SURYAWANSHI, J.)