

Uday S. Jagtap

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 3153 OF 2022
IN
SECOND APPEAL NO. 235 of 2011**

Dattatraya Keshav Sapkal	.. Applicant
In the matter between	
Dattatraya Keshav Sapkal	.. Appellant
Vs.	
Narhar Waman Deshpande	
Since deceased through LR. & Ors.	.. Respondents

.....
Mr. Pradeep J. Thorat for the applicant
Vishwali Botle i/b Ashutosh Gole for respondent nos. 4, 5 and 6
Mr. Sandeep Palade for respondent nos. 1 and 3
.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 5th JULY, 2022.

P.C.

1. This is an application for bringing legal representatives of respondent no.2, who is said to have expired on 14th November, 2020 and respondent no.6, who is said to have expired on 5th November, 2021 on record. The true copies of their death certificates are filed on record.
2. It is submitted that right to sue survives in favour of the applicant against the proposed legal representatives of the

deceased respondent nos. 2 and 6 and, therefore, they are required to be brought on record.

3. Necessary amendment to be carried out within two weeks from today. After amending the Memo of Appeal, notices be issued to the proposed legal representatives of the respondents, returnable after six weeks.
4. In addition to the Court's notice, liberty to the applicant to serve the legal representatives with private notice and file an affidavit of service to that effect before the next date.
5. Application stands disposed of.

(PRITHVIRAJ K. CHAVAN, J.)