

Uday S. Jagtap

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

**INTERIM APPLICATION NO. 10118 OF 2022
IN
SECOND APPEAL NO. 292 OF 2020**

Nanasaheb Haribhau Gawade,
since deceased through LRs & Ors. .. Applicants

Vs.

Arvind Gulab Awale & Ors. .. Respondents

.....
Mrs. M.M. Deshmukh i/b Mr. Milind Deshmukh for the applicants
None for the respondents
.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 8th JULY, 2022.

P.C.

1. This is an application for bringing the legal representatives of the sole appellant – Nanasaheb Haribhau Gawade, who is said to have expired on 20th November, 2019. The copy of the death certificate issued by the Department of Health, Municipality Baramati is tendered on record.
2. It is submitted that due to Covid-19 pandemic, application could not be moved to bring the legal representatives of the deceased on record and, therefore, a delay of about 2 years and 130 days has been caused. It is further submitted that right to sue survives to the proposed legal representatives of the

UDAY
SHIVAJI
JAGTAP

Digitally
signed by
UDAY
SHIVAJI
JAGTAP
Date:
2022.07.11
18:01:04
+0530

deceased.

3. As such, application is allowed by condoning the delay.
4. The applicant shall amend the Memo of Appeal by bringing the proposed legal representatives of the deceased on record as stated in the schedule within two weeks from today. After the amendment is carried out, amended copy be supplied to the learned Counsel for the respondents.
5. The application is disposed of.

(PRITHVIRAJ K. CHAVAN, J.)