

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

26 CIVIL APPLICATION NO.10557 OF 2023
IN SA/53/2006

M/S RAJESHWAR BHIMRAO PATIL and CO THR PROPRIETOR RAMPAL
JAINARAYAN LOHIA and ANR
VERSUS
SHIVPRASADSING RAMSING HAJARI DIED LRS. DEOKABAI AND
ORS.

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CORAM: P. B. GHUGE
REGISTRAR (JUDL)

DATED: 23/08/2023

1. The present Civil Application is preferred by the applicants to bring on record the legal representatives of applicant no. 3 i.e. Rajeshwarrao s/o Bhimrao Patil, who expired on 15/01/2023. The applicants, in support of said contention, have filed photocopy of death certificate of deceased Rajeshwarrao s/o Bhimrao Patil on record which is at Exh. 'A'. On perusal of the death certificate, it is revealed that the applicant no. 3 has expired on 15/01/2023 and the present Civil Application came to be moved on 11/04/2023, which is definitely within limitation period.

2. Thus, considering the above facts and also by virtue of provisions under Chapter II Rule 3 (i) Sub Rule (i) of the Bombay

High Court Appellate Side Rules, 1960, the present Civil Application needs to be allowed and same is allowed, accordingly. Necessary amendment be carried out within two weeks from the date of this order.

REGISTRAR (JUDL)