

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

947 CIVIL APPLICATION NO.4088 OF 2023
IN FAST/33593/2019 WITH CA/13213/2019 IN FAST/33593/2019

ANUSAYA DIGAMBAR GAJEWAD AND ORS
VERSUS
M.S.R.T.C., THR ITS DIV. CONTROLLER, NANDED AND ANR

...
Advocate for Applicants : Mr. Taher Ali Quadri Quadri Taher Ali
Advocate for Respondent No.1 : Mr. M. K. Goyanka
Advocate for Respondent No.2 : Mr. B. G. Londhe

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CORAM : SANDIPKUMAR C. MORE, J.
DATED : 29/03/2023.

P. C. :

A) ORDER IN CIVIL APPLICATION NO.4088 OF 2023:

1. It appears from the death certificate of Sambhaji Ganpati Gajewad i.e. respondent No.4 in the main appeal, who was also one of the claimants, that he died on 29/05/2019. His legal representatives are already on record as submitted by the learned counsel for the applicants. As such, the appellant MSRTC is directed to delete the name of respondent No.4 from the title of main appeal forthwith.

2. The learned counsel for the appellant MSRTC undertakes to file certified copy of spot panchanama.

3. Call R & P.

4. Stand over to 12/04/2023.

B) ORDER IN CIVIL APPLICATION NO.13213 OF 2019 :

1. Heard rival submissions.

2. The applicant MSRTC is seeking condonation of delay of only 20 days and therefore, considering the short period of delay, it stands condoned.
3. The appeal be placed for admission after removal of office objections, if any.
4. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)