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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 1795 OF 2007

The Municipal Corporation Of Greater Mumbai ...Appellants
And Anr.

Versus

Shrad R. Ranade ...Respondent

Mr. Santosh Parad, Advocate for Appellant/MCGM.
Mr. Madhusudan G. Gawade, Advocate for Respondent.

CORAM : M.M. SATHAYE, J.

DATE : 5th DECEMBER, 2023

P.C. :

1. Heard both sides. Learned counsel for the Respondent submits that sole Respondent has expired on 02/09/2011 and this fact of death of sole Respondent as well as details of his legal heirs were communicated to the Appellant/Municipal Corporation way back on 05/10/2012. Xerox copies of the communication dated 05/10/2012 showing acknowledgment of the Appellant/Municipal Corporation along with death certificate, is taken on record and marked 'X' for identification. Till date no application is filed by the Appellants for setting aside abatement or for bringing legal heirs of sole Respondent on record.

2. Considering death of sole Respondent in September 2011, the law has taken its own course and the Appeal is abated. Hence, this Appeal is dismissed as abated. No order as to costs.

3. All concerned to act on authenticated or digitally signed copy of this Order.

(M.M. SATHAYE, J.)