

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

SECOND APPEAL NO. 147 OF 2022

RAJKUMAR S/O WAMAN SHELKE AND OTHERS
VS
DEVANAND S/O WAMAN SHELKE AND OTHERS

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri. Y. N. Thengre, Advocate for appellants.
Shri. B. B. Pantawane, Advocate for respondent Nos.1
and 2.

CORAM : SMT.M.S.JAWALKAR J.

DATE : 21/03/2023

CIVIL APPLICATION (S) NO. 290 OF 2023

Present application is filed for deletion of the name of respondent No.6 from the array of the appeal and Civil Application No. 432 of 2022.

2. It appears that on issuance of notice, respondent No.6 reported to be dead, however, the learned counsel for the appellant submits that he could not find out names of legal heirs of respondent No.6, hence he do not want to proceed against respondent No.6.

3. The application is allowed subject to risk and consequences of the appellant. The appellant is permitted to carry out amendment – to delete the name of respondent No.6 from the array of appeal and Civil Application No.432 of 2022.

4. Application stands disposed of.

5. Present Second Appeal be listed along with Second Appeal (Stamp) No. 5905 of 2022.

JUDGE