

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

CIVIL APPLICATION (CAC) NO.18/2023

IN

CIVIL REVISION APPLICATION NO.131/2022

Sau. Seema w/o Maheshkumar Chudiwal and another

Vs.

Dilip s/o Shivchand Chudiwal (dead) through Lrs Madhubala Dilip Chudiwal and
others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M.A. Deo, Advocate for applicants
Ms Shamsi Haider, AGP for respondent Nos.3 and 4
Shri Kushal Jain, Advocate for respondent No.6

CORAM : SMT. M.S. JAWALKAR, J.

DATED : 06/02/2023

The present application is filed for grant of permission to place on record amended copy of plaint in Revision Civil Suit No.168/2020. The application is allowed.

2. The applicants are permitted to place on record amended copy of the plaint.

3. The application stands disposed of.

CIVIL APPLICATION (CAC) NO.19/2023

The present application is filed for grant of permission to delete the name of respondent No.1 and for adding his legal representatives as party respondents in the present Civil Revision Application. This Court issued notice to the respondents and notice to respondent No.1 received back unserved with an endorsement that he is reported to be dead.

2. On contact with his client, the learned Counsel for applicants came to know that respondent No.1 had passed away long back and his legal representatives are already brought on record before the learned Trial Court. However, as unamended copy was supplied to the Counsel, name of deceased respondent No.1 appearing in the title clause. As such there is no necessity to bring legal representatives of respondent No.1 on record as they are already brought on record before the learned Trial Court as such application is allowed.

3. The applicant is permitted to delete the name of respondent No.1 from the array of party and permitted to add his legal representatives as party respondents as mentioned in paragraph No.5 of the application. Necessary amendment to be carried out within one week.

4. After amendment is carried out, issue fresh notice to the added respondents, returnable within three weeks.

5. The learned Counsel for appellants to serve respondent No.2 by R.P.A.D.

6. Interim order to continue till next date.

JUDGE