

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

**914 CIVIL APPLICATION NO. 1947 OF 2024
IN SA/589/1992
WITH
SECOND APPEAL NO. 589 OF 1992**

**WITH
CIVIL APPLICATION NO. 10248 OF 2004
IN SA/589/1992**

**WITH
X-OBJECTION NO. 72 OF 2022**

**WITH
CIVIL APPLICATION NO. 9572 OF 2022
IN CA/10248/2004**

**RABIYABEE AHEMAD MOHIODDIN L.RS. AFSAR BEGUM L.RS.,
SAYYED AKHATAR AND OTHERS
VERSUS
RUPABAI PEERAJI JAGTAP L.RS. SARUBAI AND OTHERS**

...

Mr. P.G. Godhamgaonkar, Advocate for the applicants.
Ms. N.M. Bhise, Advocate holding for Mr. S.S Choudhari, Advocate
for respondent Nos.1A to 1E, 3 to 6, 8A to 8G.

...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 13 February 2024

P. C. :

1. Learned Counsel for the applicants/appellants tendered copy of death certificate of respondent No. 8B on record. Taken on record.

2. Heard rival submissions.
3. The applicants/appellants are seeking permission to bring on record the legal representatives of deceased respondent No.8B, who admittedly died on 10.02.2023, by condoning the delay of 271 days.
4. The learned Counsel holding for Mr. Choudhari strongly opposed the application on the ground that delay is not properly explained. However, considering the right to sue, the application stands allowed in terms of prayer clauses (A) and (B) subject to cost of Rs. 500/- to be paid to the Library, Advocates Association of Bombay High Court, Aurangabad. The amendment be carried out within stipulated period.
5. Civil Application No. 1947 of 2024 is accordingly disposed of.
6. List the other matters on 27.02.2024.

(SANDIPKUMAR C. MORE, J.)