



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

**915 SECOND APPEAL NO. 208 OF 2011
WITH
CIVIL APPLICATION NO. 5934 OF 2023
IN SA/208/2011**

**WITH
CIVIL APPLICATION NO. 5191 OF 2015
IN SA/204/2015**

**WITH
SECOND APPEAL NO. 683 OF 2022**

**RANGNATH BAPU FOPSE DECEASED TH LRS BHASKAR
RANGNATH FOPSE AND ORS**

VERSUS

SHANTARAM JAGANNATH FOPSE AND ORS

...

Mr. Joydeep S. Koday h/f Salunke Vasant Rao D., Advocate for Appellants

Mr. R. L. Kute, Advocate for Respondent Nos.1 & 2

Mr. Sonkawade A. D. h/f Mr. Hon Ashwin V., Advocate for Respondent Nos.3 & 4

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 09/08/2024.

P. C. :

1. The learned counsel for rival parties submit that the Second Appeal No.204 of 2015 is not connected with the other two appeals, but it is wrongly tagged with those appeals. As such, the Second Appeal No.204 of 2015 is detagged.

A) ORDER IN CIVIL APPLICATION NO.5934 OF 2023 :-

1. Heard rival submissions.
2. The applicants are seeking permission to bring on record legal representatives of deceased respondent No.2 Nivruti Jagannath Fopse, who admittedly died on 28/09/2022 by condoning the delay of 69 days.
3. Though the application is opposed, but considering the right to sue, application stands allowed in terms of prayer clause -B & C subject to cost of Rs.500/- to be paid to the Registry, High Court, Aurangabad for utilization of Dispensary, High Court Aurangabad.
4. Amendment be carried out within stipulated period and after deposit of costs.
5. Civil Application No.5934 of 2023 is accordingly disposed of.
6. List connected matters on 23/08/2024.

(SANDIPKUMAR C. MORE, J.)