



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

**918 CIVIL APPLICATION NO. 8855 OF 2024
IN SA/514/2015
WITH
CIVIL APPLICATION NO. 8856 OF 2024
IN SA/514/2015**

**BALKRISHAN BABANSAHEB SURYAWANSHI L.RS. SUNITA
BALKISHAN AND OTHERS
VERSUS
DNYANAND NIVRUTTI YADAV AND OTHERS**

...
Mr. Patil B. N., Advocate for Applicants

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 22/08/2024.**

P. C. :

A) ORDER IN CIVIL APPLICATION NO.8855 OF 2024 :-

1. The applicants have filed this application for bringing themselves on record in place of deceased appellant – Balkrishna Babasaheb Suryawanshi, who died on 13/03/2021, by condoning the delay of 1061 days. However, the second appeal has already been disposed of by this court vide order dated 22/03/2017 and directed retrial. Certain cost was also imposed upon the appellant. However, when the retrial is granted by this court, the applicants are directed to file the application for bringing themselves on record

before the learned trial court subject to limitation aspect. The application is accordingly disposed of.

B) ORDER IN CIVIL APPLICATION NO.8856 OF 2024 :-

1. The present application is filed for extension of time to deposit the cost amount of Rs.25,000/- as per order dated 22/03/2017. Though this court under the said order, had granted concession to the appellants / applicants for depositing the aforesaid amount in three installments, but on failure to deposit the amount in such manner, the applicants shall now deposit the said amount in one stroke and within one month only. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)