



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 9656 OF 2023
IN FA/3237/2021 WITH
CIVIL APPLICATION NO. 9657 OF 2023
IN FA/3238/2021 WITH
CIVIL APPLICATION NO. 6153 OF 2023
IN FA/3238/2021 WITH
CIVIL APPLICATION NO. 6099 OF 2023
IN FA/3237/2021

Ravindra Basvaraj Gastgar

VERSUS

Vishwanath Shankarappa Walande And Ors

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Advocate for Applicants : Mr. Gastgar Santosh B & Mr. S.N. Patne

AGP for Respondent/State : Mr. S.N. Kendre

Advocate for Respondent Nos.4 to 14 : Mr. N.P. Patil Jamalpurkar

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CORAM : S.G. MEHARE, J.

DATED : APRIL 19, 2024

PER COURT:-

1. Heard the respective counsels.
2. The appeals are against the judgment passed on merit.
Therefore, prayer clause (C) cannot be granted at this juncture.
However, all these applications are allowed. The applicants are allowed to delete respondent no.1 from the first appeals.
3. Learned counsel for respondent nos.4 to 14 made a statement that respondent no.4 is no more. The question is put to the learned counsel for the parties whether constitution of trust provides for succession trusteeship to legal heirs. They submitted that there is no provision as such in the constitution of the trust. Respondent no.4

(2)

was added as a party as a trustee of the trust. Therefore, nothing survives against him. He may also be deleted.

4. List the first appeals on 24.07.2024.

(S.G. MEHARE, J.)