



935 SA 117-2024

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

935 SECOND APPEAL NO. 117 OF 2024
WITH
CIVIL APPLICATION NO. 4213 OF 2024 IN SA/117/2024
WITH
CIVIL APPLICATION NO. 11036 OF 2024 IN SA/117/2024

DILIP S/O BANDERAO SARATE AND ANOTHER
VERSUS
VINAYAK S/O SHANKARRAO SARATE AND OTHERS

...
Mr. N.K. Chaudhari – Advocate for Appellants
Mr. Swapnil Patunkar h/f. J.P. Legal Associates – Advocate for
Respondent No.1
Mr. M.D. Gitte – Advocate for Respondent No.3

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 11th October, 2024

PER COURT :

1. Learned Counsel – Mr. M.D. Gitte causes appearance on behalf of respondent Nos. 3-A to 3-D and seeks time to file vakalatnama.

CIVIL APPLICATION NO. 11036 OF 2024

2. Heard rival submissions.

3. The application is filed for bringing legal representatives of deceased respondent No. 3 – Radhabai w/o. Kashinathrao Solanke, who admittedly died on 17.03.2021 by condoning the delay of 1105

days. Though the application is opposed but considering the right to sue, the application stands allowed in terms of prayer clause 'B', subject to deposit of cost of Rs.1,500/- (rupees One Thousand and Five Hundreds only) to be paid to the Library, Advocates Association of High Court, Bombay, Bench at Aurangabad.

4. The application is disposed of accordingly.
5. The amendment be carried out within stipulated period.
6. List the Second Appeal No.117 of 2024 alongwith Civil Application No.4213 of 2024 on 25th October, 2024.

[SANDIPKUMAR C. MORE]
JUDGE