

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

**31 CIVIL APPLICATION NO. 16742 OF 2022
IN SA/237/2007
WITH SECOND APPEAL NO. 237 OF 2007
WITH SECOND APPEAL NO. 236 OF 2007
WITH CIVIL APPLICATION NO. 16740 OF 2022
IN SA/236/2007
WITH CIVIL APPLICATION NO. 16743 OF 2022
IN SA/237/2007
WITH CIVIL APPLICATION NO. 16739 OF 2022
IN SA/236/2007**

**JAGANNATH MAGANLAL AGRAWAL L.RS. RAMESH DIED
L.RS. GOVIND JAGANNATH AGRAWAL AND OTHERS
VERSUS
SUKA DEVJI KOLI L.RS. EKNATH SUKA KOLI AND OTHERS**

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Mr. Girish Rane, Advocate for the applicants.
Mr. Rohit Dhongade, Advocate holding for Mr. V.T. Choudhari,
Advocate for respondent Nos.1 to 4.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 26 AUGUST 2024.

ORDER:-

IN CIVIL APPLICATION NO. 16742 OF 2022 :

1. Heard rival submissions.
2. The applicants are seeking permission to bring on record legal representatives of deceased appellant No.3 Rajendra Jagannath Agrawal, who admittedly died on 23.06.2011, by condoning the huge delay of 4010 days. Though the application is opposed, but considering the right to sue, the the

application is allowed in terms of prayer clauses (A), (B), (C) and (D) subject to cost of Rs. 6,000/- to be deposited with Library, Advocates Association of High Court, Bombay, Bench at Aurangabad within two weeks. Necessary amendment be carried out within stipulated period. The application is accordingly disposed of.

IN CIVIL APPLICATION NO. 16743 OF 2022 :

1. Heard rival submissions.
2. The applicants are seeking permission to bring on record legal representatives of deceased appellant No.1 Ramesh Jagannath Agrawal, who admittedly died on 06.12.2016, by condoning the delay of 2017 days. Though the application is opposed, but considering the right to sue, the the application is allowed in terms of prayer clauses (A), (B), (C) and (D). Further, as per the purshis dated 16.10.2023, it appears that one of the legal representatives of deceased appellant No.1 Ramesh that is Pushpa Ramesh Agrawal is also no more and she also died on 23.08.2023. As such, after amendment she may be shown as "since deceased". Necessary amendment be carried out within stipulated period. The application is accordingly disposed of.

IN CIVIL APPLICATION NO. 16739 OF 2022 :

1. Heard rival submissions.
2. The applicants are seeking permission to bring on record legal representatives of deceased appellant No.3 Rajendra Jagannath Agrawal, who admittedly died on 23.06.2011, by condoning the huge delay of 4010 days. Though the application is opposed, but considering the right to sue, the the application is allowed in terms of prayer clauses (A), (B), (C) and (D) subject to cost of Rs. 6,000/- to be deposited with Library, Advocates Association of High Court, Bombay, Bench at Aurangabad within two weeks. Necessary amendment be carried out within stipulated period. The application is accordingly disposed of.

IN CIVIL APPLICATION NO. 16740 OF 2022 :

1. Heard rival submissions.
2. The applicants are seeking permission to bring on record legal representatives of deceased appellant No.1 Ramesh Jagannath Agrawal, who admittedly died on 06.12.2016, by condoning the delay of 2017 days. Though the application is opposed, but considering the right to sue, the the application is allowed in terms of prayer clauses (A), (B), (C) and (D). Further, as per the purshis dated 16.10.2023, it appears that one of the legal representatives of deceased appellant No.1

Ramesh that is Pushpa Ramesh Agrawal is also no more and she also died on 23.08.2023. As such, after amendment she may be shown as “since deceased”. Necessary amendment be carried out within stipulated period. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)