



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application [CAC] No.123 of 2023

in

Civil Revision Application No.25 of 2023

Shrikant s/o Sambappa Chakote and another

vs.

Sau. Ashadevi Sitaldas Zambani and others

*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

Court's or Judge's Orders

Mr. Anshu Deshpande, Advocate for the Applicants.

Mr. S.R. Kumbhalkar h/f Mr. Hitesh Biherani, Advocate for Non-Applicant No.1.

CORAM : M.W. CHANDWANI, J.

DATE : 16th JANUARY, 2024.

Heard.

02] The contention is that, non-applicant Nos.2 to 6, 12 and 17 died. Further contention is that, the applicants came to know about the death of said non-applicants, when the notices in the revision application came to be issued and, therefore, there is a delay in moving an application for bringing the legal representatives of the non-applicants on record..

03] For the reasons mentioned in the application, the delay is condoned. The application is allowed and disposed of accordingly.

Civil Application [CAC] No.124 of 2023 :

In view of death of non-applicant Nos.2 to 6, 12 and 17, the present application has been filed by the applicants for bringing the legal heirs of the deceased non-applicants on record.

02] It is contended on behalf of the learned Counsel for the applicants that right to sue survives against the legal representatives of the deceased non-applicants.

03] In view of this submission, the application is allowed. Corrections be carried out accordingly in the cause title of the revision application within a period of one week.

04] On carrying out correction in the cause title of the revision application, notice be issued to the non-applicants, making it returnable within three weeks.

05] In addition to usual mode of service, Hamdast is granted to serve upon the non-applicants.

06] The application is disposed of as such.

JUDGE

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