

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

905 CIVIL APPLICATION NO. 2287 OF 2019
IN CA/4017/2018

HARJIT SINGH TIRATHSINGH SAWHNEY
VERSUS
SARDAR KARAMSINGH SARDAR
JAGATSINGH DIED THROUGH LRS
SARDAR ABCHALNAGARSINGH AND ORS

.....
WITH

CIVIL APPLICATION NO. 5382 OF 2019
IN CA/2287/2019

.....
Harjit Singh Tirath Singh Sawhney
Party in person

...

CORAM : SHAILESH P. BRAHME, J.
DATE : 4th JULY 2025

PER COURT :

. *Party in person* files service affidavit to show that heirs of Respondent No.6 are served by speed-post. None appears for the respondents.

2. This application is filed for bringing heirs of Respondent No.6/Sardar Nanaksingh Sardar Karamsingh on record. He died on 23.09.2024. It is submitted by party in person that respondents did not inform about his death. Neither any recourse was taken to Order 22 Rule 10 of C.P.C.

3. I have considered application. Though there are no prayers for condonation of delay and setting aside abatement, it can be gathered that heirs shown in the cause title of the Respondent No.6 are necessary parties and cause of action survives against them. The averments of the application have not been controverted. I adopt practical approach in allowing the applications.

4. Civil applications are allowed. Delay for setting aside abatement and bringing heirs of Respondent No.6 on record is condoned. The abatement is set-aside and the applicants are permitted to bring heirs of Respondent No.6/Sardar Nanaksingh Sardar Karamsingh on record.

[SHAILESH P. BRAHME, J.]

vsj..