



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

902 CIVIL APPLICATION NO. 5433 OF 2025
IN RA/24/2022

DADA TANGAJI WANI

VERSUS

BHAGAJI TANGAJI WANI L.RS. KONDABAI AND OTHERS

...
Mr. Madhukar G. Kolse Patil Advocate for Applicant.
...

CORAM: SMT. VIBHA KANKANWADI, J.

DATE : 8th MAY 2025

ORDER :

1. Present Application has been filed to bring the legal representatives of respondent No.1 on record. Respondent No.1 expired on 28th February 2025. The photocopy of the death certificate has been produced.

2. Since the Application is within limitation, there is no necessity to issue notice to the proposed legal heirs for grant of the present Application. It can be directly granted. Present applicant are the original appellant in the Second Appeal. The

Second Appeal was dismissed by order dated 5th August 2021 after holding that there are no substantial questions of law as contemplated under Section 100 of the Code of Civil Procedure and therefore, the present applicant has filed the Review Application. The original suit was for perpetual injunction as well as for declaration and therefore, right to sue survives and therefore, there is no hurdle in allowing the Application.

3. The Application stands allowed and disposed of. The legal representatives of respondent No.1 be brought on record, on or before 11th June 2025. Thereafter issue notices to respondent Nos. 1(a) to 1(f), to be made returnable on 11th July 2025.

[SMT. VIBHA KANKANWADI]
JUDGE

asb/MAY25