



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

**CIVIL APPLICATION NO. 9937 OF 2021
IN
FIRST APPEAL STAMP NO. 33722 OF 2017**

Kalavati Kashinath Pimpale and others .. Applicants

Versus

Late Omprakash Rathod and another .. Respondents

Shri Madhav M. Bhokarikar, Advocate for the Applicants.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 16TH OCTOBER, 2025.**

FINAL ORDER :

. It is reported that the respondent No. 1 - owner of the vehicle is no more. He is resident of State of Madhya Pradesh. Applicants are unable to know the status and whereabouts of legal heirs of the respondent No. 1. Before the Tribunal, claim had proceeded *ex-parte* as against him.

2. Learned counsel for the applicants - appellants prays to invoke the powers U/O XXII Rule 4(iv) of the Code of Civil Procedure to exempt the applicants/appellants from substituting the legal heirs.

3. This is fit case to invoke the powers U/O XXII Rule 4(iv) of the C. P. C. Applicants stand exempted from substituting legal

heirs of the respondent No. 1, as the respondent No. 1 did not file written statement and contest the matter before the Tribunal. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/Oct. 25