

Gauri Suvarna	...	Petitioner
V/s.		
State of Maharashtra through Govt ...		Respondents
Pleader and Anr		

Mr. V.S. Nimbalkar, AGP, for the respondent / State.

DATE : 29TH APRIL 2025.

3. Mr. Patil, the learned counsel for the petitioner, submitted that the defendant no. 1 has passed away on 28th October 2023 and his

legal representatives were not brought on record. Thus, the suit abated. Under the guise of bringing the legal representatives of defendant no. 2, according to learned counsel for the petitioner, the plaintiffs intend to overcome the abatement of the suit, as a whole, as the right to sue did not survive after the death of defendant no. 1, qua the then surviving defendant no. 2.

3. All these issues can be raised by the petitioner before the Trial Court upon her impleadment as a legal representative of the deceased defendant no. 2.

4. Keeping open all the contentions, the petition stands disposed.

(N.J. JAMADAR, J)