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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 10304 OF 2025
WITH
INTERIM APPLICATION NO. 10305 OF 2025
IN
FIRST APPEAL (ST) NO. 3981 OF 2021**

Chhaya Vilas Bhondave & Ors.

...Applicants/Appellants

Versus

Union Of India, Thr. The General Manager,
Central Railway, Mumbai

...Respondent

Adv. S. R. Gupta for the Applicants/Appellants
Ms. Leena Patil for the Respondent.

CORAM : M. M. SATHAYE, J.

DATED : 28th JULY 2025

P.C.:

1. IA/10304/2025 is filed for adding the name of the Original Claimant No. 2 – Kumari Rituja D/o. Vilas Bhondave nee Smt. Rutuja W/o. Vickey Wagh as the Appellant No. 5.
2. IA/10305/2025 is filed seeking deletion of same party.
3. Learned advocate for the Applicants submitted that the name of the said claimant continued during the pendency of the Claim Application, despite her death on 22/06/2019 and the impugned judgment is delivered on 03/12/2020. Copy of death certificate of the said claimant is produced

on record. It is submitted that while filing the Appeal, her name was not shown / included because the said party was no more, but the Registry raised objection about absence of her name. Hence IA/10304/2025 is filed.

4. Learned Counsel for the Applicants further submitted on instructions, that though said claimant was married to one Mr. Vicky Wagh, she died without leaving any child/issues behind and 'husband of the daughter of the deceased' is not a legal dependent and therefore neither her name nor her husband's name is now necessary to be brought on record. Hence IA/10305/2025 is filed.

5. Considering the statement as well as the fact that the said claimant was married daughter without children/issues, who died during pendency in the Trial Court, **both these applications are disposed of** by passing the following order:

(A) The objection about non - impleadment of the Original Claimant No. 2-Kumari Rituja D/o. Vilas Bhondave nee Smt. Rituja W/o. Vicky Wagh is dispensed with.

(M. M. SATHAYE, J.)