



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

61 APPEAL FROM ORDER NO. 32 OF 2011
WITH
CIVIL APPLICATION NO. 3278 OF 2024
IN AO/32/2011
WITH
CIVIL APPLICATION NO. 3279 OF 2024
IN AO/32/2011
WITH
CIVIL APPLICATION NO. 3277 OF 2024
IN AO/32/2011
WITH
CIVIL APPLICATION NO. 3280 OF 2024
IN AO/32/2011

BHARATKUMAR UTTAMLAL SHAH AND ANR
VERSUS
PRADIPKUMAR AMRUTLAL SHAH AND ORS

...
Mr. Shah Subodh P, Advocate for Applicants
Mr. A. P. Bhandari, Advocate for Respondents
...

CORAM : SHAILESH P. BRAHME, J.
DATE : 03.02.2026

PER COURT :-

CIVIL APPLICATION NO. 3277 OF 2024

- . Applicants seek exemption to take steps against deceased respondent no.8 – Smt. Yoginiben Amrutlal Shah. The claim is contested by Mr. Bhandari, learned counsel for the respondents.
2. The deceased respondent no.8 did not contest the suit in the Trial

Court. In view of Order XXII Rule 4 (4) of C.P.C., exemption can be granted to the applicants to take steps against deceased respondent no.8.

3. Civil Application is allowed in terms of prayer clause "A".

4. It is clarified that the exemption shall be granted at the risk of the applicants.

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5. Issue notice to the proposed legal heirs of deceased respondent no.13, returnable on 24.02.2026.

(SHAILESH P. BRAHME, J.)

PRW