

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 1265 OF 2014
IN SA/1158/2005

BABULAL KAUTIK PATIL LRS NANA AND OTHERS
VERSUS
KANTILAL NATHAMAL JAIN LRS KIRTI AND OTHERS

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Advocate for Applicants : Mr. Shelke D.R.h/f Mr. Patil Pradip R.
Advocate for Respondent 1A : Miss Nyayadhish Sayalee V.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: April 10, 2015
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PER COURT :-

1. Sole respondent has passed away.
2. Legal heirs of sole deceased respondent have been served by paper publication dated 11.10.2014. Copies of the paper publication are placed on record, through an affidavit, dated 21.11.2014.
3. Miss Nyayadhish appears on behalf of respondent No.1 and opposes the application.
4. For the reasons set out in the application, the same is allowed. Delay of (838) days is condoned, subject to costs of Rs.2,000/- to be paid to respondent No.1A, by depositing the same in this Court, within a period of three weeks from today. I am depriving costs to Respondent Nos.1B to 1E, since they have preferred to remain absent, despite service of notice through paper publication.
5. Upon depositing costs, addition be carried out. Order of the Registrar (Judicial) is recalled.
6. Respondent No.1A is at liberty to withdraw the costs.

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7. In the event, the above directions are not complied with, this order shall stand recalled.

(RAVINDRA V. GHUGE, J.)

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