

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

**Civil Application No. 2062 of 2012
In
Second Appeal Stamp No.4026 of 2012**

Kashinath Namdeo Shinde
And Others.

.. Applicants.

Versus

Bapu s/o Janardhan Shinde
Since deceased through
Legal representatives.

.. Respondent.

Smt. Anjali Dube Advocate, for applicants.

Shri. A.K. Gawali, Advocate, for respondent Nos.1A to 1D.

CORAM: T.V. NALAWADE, J.

DATE : 2nd SEPTEMBER 2015

ORDER:

1) The application is filed for condonation of delay of 41 days caused in filing second appeal. The record shows that respondent No.5 died but the legal representatives are not brought on record. As against respondent No.9 the matter is dismissed. Other respondents are being represented by Advocate Shri. Gawali. Both the sides are heard.

2) In view of the contents of the application, the submissions made and also the circumstance that one more appeal is filed against the same decision, the application is allowed. Delay is condoned. The appeal is to be registered against respondents except respondent Nos.5 and 9. Both the appeals are to be listed for admission purpose. Both the sides state that record and proceeding is not necessary. They will supply paper book to the Court and the relevant documents like copy of Will. Stand over tomorrow, 3rd September 2015 for admission purpose.

Sd/-
(T.V. NALAWADE, J.)

rsl