

FARAD CONTINUATION SHEET NO.
 IN THE HIGH COURT OF JUDICATURE AT BOMBAY
 APPELLATE SIDE, BENCH AT AURANGABAD
CIVIL APPLICATION NO.3651 OF 2015
IN
WRIT PETITION NO.1227 OF 2003

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Miss. S.V.Nyayadhish, advocate holding for
 Mrs.C.S.Deshmukh, advocate for the Applicants.
 Mrs.M.S.Patni, Asstt. Govt. Pleader for the State.
 Mr.S.V.Kurundkar, advocate for Respondent No.4.

**CORAM : S.V.GANGAPURWALA &
 A.I.S.CHEEMA, JJ.**
Date : 18.03.2015.

PER COURT :

1. Heard.
2. Mr.Kurundkar, learned counsel for the non-applicant opposes the application on the ground that there is inordinate delay. Learned Asstt. Govt. Pleader also opposes the application.
3. It is trite that abatement has to be strictly construed and application seeking to set aside abatement has to be liberally construed.
4. The reasons are given that the deceased petitioner was the only person who was looking after the matter and these legal heirs did not know about the pendency of the matter earlier.

5. Considering the reasons given, the application is allowed in terms of prayer clauses B and C. Necessary amendment be carried out within one week.

6. The Civil Application is disposed of.

7. Place the Writ Petition for final hearing in the week commencing from 30.3.2015.

(A . I . S . CHEEMA , J .)

(S . V . GANGAPURWALA , J .)

Dt..18.03.2015.
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