

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

22. CA/7654/2010 In X-OBJST/31429/2004 WITH CA/7653/2010 In X-OBJST/31429/2004 WITH CA/7652/2010 In X-OBJST/31429/2004

BHUDA SHANKAR PATIL AND ORS
V/S
THE MAHARASHTRA INDUSTRIAL DEVL. CORPN NASHIK AND ORS.

Mr. C.R. Deshpande, Advocate for applicants.

Mr. Khaire h/f. Mr. S.S.Dande, Advocate for respondent Nos. 1.

Mr. G.O. Wattamwar, AGP for respondent Nos. 2 and 3.

CORAM : T.V. NALAWADE, J.
DATED : 7th December, 2015.

PER COURT :

1. These applications are filed for setting aside the order of abatement in respect of respondent, who had filed cross objections. The delay of 454 days is caused. Heard both the sides.

2. In view of the contents of the applications and submissions made, this Court holds that sufficient cause is shown. So, delay is condoned. Applications are allowed. The abatement is set aside. The legal heirs of deceased respondent to come on record as legal heirs of deceased respondent in cross objections. Amendment is to be carried out in cross objection petition immediately.

3. Notice of cross objections to other side. Shri. Khaire

h/f. Mr. S.S. Dande and the learned AGP waives notice for respective respondents. List the main matters and cross objections on 13.1.2016.

4. The appellant is advised to take similar steps in respect of legal representatives of deceased respondents in appeal on record.

[T.V. NALAWADE, J.]

ssc/