

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

928. CA/6801/2015 In SA/346/2013 WITH CA/6802/2015 WITH
CA/10605/2015 In SA/396/2013

KESHARBAI SHANTWEER BHUJBAL AND ANR
V/S
BABURAO @ AMRITRAO TRIMBAKRAO BEDRE AND ORS

Mr. V.G. Kodale h/f. Mr. V.D. Gunale, Advocate for applicants.

Mr. G.R. Sayyed, Advocate for respondent Nos. 10 to 13.

Mr. Sandip Swami, Advocate for respondent Nos. 4A to 4D.

Mr. S.P. Shah, Advocate for applicants in CA No. 10605/15.

CORAM : T.V. NALAWADE, J.

DATED : 27th August, 2015.

ORDER :

1. In Civil Application No. 10605/2015, learned counsel Shri. Swami waives notice for legal heirs of deceased respondent No. 4. Heard both the sides.

2. The applications are filed for setting aside the order of abatement of appeal due to death of respondent No. 4 and also for permission to bring the legal heirs of deceased respondent No. 4 on record. Prayer for condonation of delay caused in bringing legal heirs of deceased respondent No. 4 on record is also made. In view of the contents of the applications and the submissions made, the applications are allowed. The order of abatement of appeal as against deceased respondent

No. 4 made by the Registrar Judicial is set aside. Delay is condoned in brining the legal heirs of deceased respondent No. 4 on record. Permission is granted to bring the legal heirs of deceased respondent No. 4 on record. Amendment is to be carried out immediately. Applications are disposed of.

3. Notice in appeal to legal heirs of deceased respondent No. 4 is waived by learned counsel Shri. Swami.

[T.V. NALAWADE, J.]

SSC/