

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

**CIVIL APPLICATION NO. 13431 OF 2009  
IN  
SECOND APPEAL STAMP NO. 4700 OF 2006**

Shankar Rakhmaji Dhangar & Ors.

**V E R S U S**

Udhav Ganpat Waghe (dead) L.Rs. & Ors.

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**CORAM : T.V.NALAWADE, J.**

**DATE : 16<sup>th</sup> OCTOBER, 2015**

**ORDER :-**

1. Seen the office note and the service report. It appears that respondents No. 1-C and 1-D refused to accept the notice by contending that their names were not correctly mentioned in the notice, when the serving officer had approached them. In view of the circumstances, matter is heard ex-parte against them. Respondent No. 1-A and 1-B are duly served, but they did not appear.

2. The application is filed for condonation of delay and for bringing the legal representatives of respondent No. 1 on record.

3. In view of the contentions and submissions made, the application is allowed. Delay is condoned. Legal representatives of respondent No. 1 are allowed to be brought on record. Amendment to be carried out forthwith.

4. List the Second Appeal for admission purposed on 02/12/2015.

**[T.V.NALAWADE, J.]**