

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

**Civil Application No. 12621 of 2013
In
Second Appeal No.787 of 2005**

Khaja Fashiuddin S/o. Khaja Moinuddin
And Others. **.. Applicants.**

Versus

Khaja Rashiuddin s/o Khaja Mainuddin
Dead, through legal representatives
and Others. **.. Respondents.**

Shri. Anil M. Gaikwad, Advocate, for applicants.

Shri. R.P. Adgaonkar, Advocate, for respondent No.1B.

Shri. P.R. Katneshwarkar, Advocate, for respondent No.2.

CORAM: T.V. NALAWADE, J.

DATE : 9th OCTOBER 2015

ORDER:

1) The application is filed for condonation of delay of 405 days caused in bringing legal representatives of respondent No.1 Khaja Rashiuddin on record. Learned counsel Shri. R.P. Adgaonkar is appearing for respondent No.1-B. Nobody is appearing for respondent No.1-A. In view of the submissions made the application is allowed.

Delay is condoned. Amendment is to be carried out immediately in appeal memo. Notice in appeal. Learned counsel waives for respondent No.1-B. Notice to respondent No.1-A is to be sent in the appeal, made returnable on 1-12-2015.

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

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