

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

CIVIL APPLICATION NO.11606 OF 2014 IN
SECOND APPEAL NO.305 OF 1988

Tulshiram Baburao Chame

..Applicant

Versus

Kishanrao Babarao Patil
since deceased through his
L.Rs. Vijaymala and ors.

..Respondents

Mr M.V.Deshpande, Advocate for applicant
Respondents No.2-A to 2-G, 3-B, 4-B, 5-A to 5-D, 6-A to 6-E served

**CORAM : N.W. SAMBRE, J.
DATE : 27th February 2015**

PER COURT

1. Learned Counsel for the appellant makes a motion for deleting respondent No.3-A who is reported to be dead. Motion is granted. Respondent No.3-A is permitted to be deleted at the risk and peril of the appellant.

2. The respondents though served, none appears. The application is not objected.

3. For the reasons stated in the application, delay caused in moving the application for setting aside the abatement against respondent No.5 is hereby condoned subject to payment of costs of Rs.5,000/- (Rs.Five thousand) to be paid to High Court Bar Association's Library within two weeks. Payment of costs will be condition precedent. Application stands disposed of.

(N.W. SAMBRE, J.)

vvr