

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

28 CIVIL APPLICATION NO. 5645 OF 2015
IN SA/377/2014

SHAMSHODDIN AMIR KHAN DIED LRS NIYAMATBI
AND OTHERS
VERSUS
MOULA MAHEBOOB KHAN AND OTHERS

Shri. Pathan Zareefkhan, Advocate, for applicants.

Shri. P.S. Paranjape, Advocate, for respondent No.5/2.

CORAM: T.V. NALAWADE, J.

DATE : 1st APRIL 2016

ORDER:

1) Civil Application No.5645/2015 is filed for permission to bring legal representatives of respondent No.5/3 on record. Notices of this application are served on respondent Nos.5/3a to 5/3d. It is to be presumed that they are duly served. It appears that only after report given by bailiff in October 2015 that respondent No.5/3 is dead the order was made by this Court and then steps were taken. There is nothing on record about information given in respect of death.

2) In view of these circumstances the Civil Application No.5645/2015 is allowed. Delay, if any, is condoned. Abatement, if any, is set aside. Respondent Nos.5/3a to 5/3d are to be taken on record. Notice is to be given to them in appeal, made returnable on 29th June 2016.

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

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