

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

**38 CIVIL APPLICATION NO. 13009 OF 2015
IN
SA/2/2012**

**NILKANTHA DHARMA PATIL LRS
INDUBAI AND ORS.**

VERSUS

**SANGITABAI VISHWAS PATIL
AND ORS.**

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Mr. P.B.Pawar, Advocate for Applicants.

Mr. Prashant Deshmukh h/f Mr. S.S.Nirkhee,
Advocate for R – 4 & 8.

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CORAM : T.V.NALAWADE, J.

DATE : 1st AUGUST, 2016

ORAL ORDER :-

. The application is filed for setting aside the order of abatement made by the Registrar [Judicial] dated 29/10/2014. By this Order, Registrar has dismissed the Appeal as abated as the L.Rs. of the appellant were not brought on record within the time given by this Court. Heard learned counsel for the applicant. Learned counsel is taking blame to himself.

2. In view of the contentions and the submissions

made, this Court holds that delay is sufficiently explained. So, the application is allowed. Delay is condoned. Matter is restored to its original number.

4. Stand over to 12/08/2016 to bring the L.Rs. on record and if they are not brought on record, it is to be presumed that present proceeding is to be dismissed.

[T.V.NALAWADE, J.]