

(1)

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

**CIVIL APPLICATION NO. 2061 OF 2017
IN
SECOND APPEAL NO. 481 OF 2000**

Ismail S/o Kabir Saheb (Died)
Through legal representatives
Shaikh Afrookhbee Ismail and others ... APPLICANTS.

VERSUS

Mohammad S/o Ibrahim & Anr. ...RESPONDENTS.

Mr Avinash Khande, Advocate, holding for Shri Girish L. Awale,
Advocate for Appellants,
Ms. Sheetal Salunke, Advocate, holding for Mr V.D. Salunke,
Advocate for respondent No.,
Mr N.N. Jagdale, Advocate for respondents No. 2/1 to 2/4.

CORAM : N.W. SAMBRE, J.

DATE : 7th July, 2017

ORAL ORDER

This is an application for setting aside abatement caused in filing application for setting aside abatement order against sole appellant. An order of dismissal is passed by the learned Registrar (Judicial) on 10th February 2016. Prayer for condonation of delay of 357 days, occurred for the same, is made.

(2)

For the reasons disclosed in the application, and since the same is not contested, the application stands allowed in terms of Prayer Clause "B" & "C".

(N.W. SAMBRE, J.)

pjm