

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

CIVIL APPLICATION NO.8459 OF 2017
IN SA/595/2016
WITH
CIVIL APPLICATION NO. 8461 OF 2017
IN SA/595/2016
WITH
CIVIL APPLICATION NO.8462 OF 2017
IN SA/595/2016
WITH
CIVIL APPLICATION NO.8463 OF 2017
IN SA/595/2016
WITH
CIVIL APPLICATION NO.8464 OF 2017
IN SA/595/2016
WITH
CIVIL APPLICATION NO.8465 OF 2017
IN SA/595/2016

BABULAL MAKBOOL PATHAN AND ORS
VERSUS
SHAIKH NABAB SHARFODDIN AND ORS

...

Advocate for Applicants : Shri Pathan Zareef Khan.
Advocate for Respondent 1 : Shri G.R. Sayyed.

...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 01st September, 2017

Per Court:

(a) Civil Application No.8459/2017:-

1 Respondent No.31 (Rashadbee) has passed away. Her legal heir Intajbi Taher Shaikh is also said to have passed away. The legal heirs

of the deceased Rashadbee are said to be Respondent Nos.34 and 35, who are already on record.

2 Considering the above, Civil Application No.8459/2017 is allowed and the Appellants shall indicate in the cause title that Respondent Nos.34 and 35 are the legal heirs of the deceased Respondent No.31. Consequentially, the abatement order, if any, stands recalled.

(b) Civil Application No.8461/2017:-

3 Insofar as Civil Application No.8461/2017 is concerned, Respondent No.42 (Chhotibee) has passed away. Her legal heirs are the original Appellant Nos.1 to 4 and Respondent Nos.43 and 44, who are already on record.

4 This Civil Application is, therefore, allowed. The Appellants shall, accordingly, indicate in the cause title that Appellant Nos.1 to 4 and Respondent Nos.43 and 44 are the legal heirs of the deceased Respondent No.42 (Chhotibee). The abatement order, if any, stands recalled.

(c) Civil Application No.8462/2017:-

5 Issue notice to the legal heirs of the deceased Respondent No.22 (22-A, 22-B and 22-C) on the address mentioned in paragraph 3 of the Civil Application, returnable on 06.10.2017.

(d) Civil Application No.8463/2017:-

6 Issue notice to the legal heirs of the deceased Respondent No.60-C (C-1 to C-4) on the address mentioned in paragraph 3 of the Civil Application, returnable on 06.10.2017.

(e) Civil Application No.8464/2017:-

7 Issue notice to the legal heirs of the deceased Respondent No.53 (53-A to 53-D) on the address mentioned in paragraph 3 of the Civil Application, returnable on 06.10.2017.

(f) Civil Application No.8465/2017:-

5 Issue notice to the legal heirs of the deceased Respondent No.43 (43-A to 43-D) on the address mentioned in paragraph 3 of the Civil Application, returnable on 06.10.2017.