

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

CIVIL APPLICATION NO. 9968 OF 2017
IN WP/5218/2017
WITH
CIVIL APPLICATION NO.9969 OF 2017
IN WP/5218/2017

SHAIKH BADRUDDIN SHAIKH CHAND DIED LRS ZUBEDABI SHAIKH
BADRUDDIN AND OTHERS

VERSUS

MOHD. ISMAIL SHAIKH BADRUDDIN AND OTHERS

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Advocate for Applicants : Shri Tope Sambhaji S..

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 11th August, 2017

Per Court:

1 In the first Civil Application No.9968/2017, the Applicants pray for condonation of delay of 45 days and recalling of the order dated 20.04.2017 dismissing the Writ Petition in default.

2 The petition was dismissed before issuance of notice to the Respondents.

3 In the second Civil Application No.9969/2017, the Applicants pray for being brought on record as legal heirs of the deceased Petitioner.

4 For the reasons set out in the Civil Applications, the same are allowed.

5 By condoning delay of 45 days subject to costs of Rs.500/- (Rupees Five Hundred) to be deposited with the Advocates Association's Bar Library, High Court, Aurangabad within TWO WEEKS from today, the order dated 20.04.2017 is recalled and the Writ Petition is restored.

6 The Applicants shall be brought on record in the Writ Petition as legal heirs of the deceased Petitioner within TWO WEEKS from today.

kps

(RAVINDRA V. GHUGE, J.)