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

**CIVIL APPLICATION NO. 838 OF 2017
IN
SECOND APPEAL NO. 256 OF 2010**

Vishwas Motiram Patil
Age: 35 years, Occ: Service,
R/o. Telephone Office,
Near Nehru Statue,
Nandurbar, Tal. & Dist. Nandurbar
& ors ..APPLICANTS

VERSUS

Vedu Daga Patil
since deceased through
Legal Representatives
Bhatu s/o Vedu Patil,
Age: 58 years, Occ: Agri.,
RF/o. Anjanvihir,
Tal. Anjanvihir, Tal. Sindkheda,
Dist. Dhule & ors ..RESPONDENTS

Mr S.P. Shah, Advocate for applicants;
Mr S.P. Brahme, Advocate for respondent Nos. 1A to
1D

CORAM : N.W. SAMBRE, J.

DATE : 9th JUNE, 2017

ORAL ORDER :

Mr. Brahme, learned Counsel appears for
legal heirs of respondent No.1.

(2)

2. The order of abating the appeal in view of non bringing of legal heirs of respondent No.1 on record within time is hereby set aside.

3. Delay of 1892 days caused in taking such steps stand condoned.

4. Appropriate amendment be carried out in cause title of the appeal within a period of three weeks from today.

5. Civil Application stands allowed in above terms.

6. Learned Counsel for the appellant undertakes to file paper book within a period of twelve weeks from today. If paper book is not filed within twelve weeks from today, second appeal shall stand dismissed without further reference to the Court.

(N.W. SAMBRE, J.)