

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

975 CIVIL APPLICATION NO. 154 OF 2017
IN SAST/35032/2016
WITH
CA/155/2017 IN SAST/35032/2016

MEHMOOD KHAN LRS HAMID AND OTHERS
VERSUS
QAMERSULTANA KHUDRAT AND OTHERS

...
Advocate for Applicants : Mr Ameya Sabnis, Ajinkya
Reddy
Mr Nagarkar Kiran M. For R/1 To 5

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CORAM : V.K. JADHAV, J.
Dated: November 17, 2017
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PER COURT :-

1. Learned counsel submits that, this Court has permitted the applicant to serve respondent no.7 privately and accordingly the applicant has served respondent no.7 by speed post. Applicant already filed affidavit of service. In view of the above, service complete as against respondent no.7.

2. Heard the learned counsel for the applicant and learned counsel appearing for respondent nos. 1 to 5. None appears for respondent nos. 6, 8 and 9 though

duly served. Service against respondent no.7 completed.

3. For the reasons stated in the application, delay of 8 days caused in filing the Second Appeal is hereby condoned. Civil application for delay accordingly disposed of.

4. In appeal, issue notice to the respondents, returnable on 12.1.2018. Learned counsel Mr. Nagarkar, waives notice for respondent nos. 1 to 5.

5. By order dated 13.1.2017 during the pendency of Civil Application seeking condonation of delay, this Court has stayed the execution to the extent of delivery of possession. This Court stayed the process of the execution to the extent of delivery of possession only. Said interim relief to continue till the next date of hearing.

(V.K. JADHAV, J.)

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