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

CIVIL APPLICATION NO.5102 OF 2018 IN
CIVIL APPLICATION NO.12836 OF 2015 IN
CIVIL APPLICATION NO.12837 OF 2015 IN
FIRST APPEAL ST. NO.18780 OF 2015

Mahmmood Ahmed s/o Jameel Ahmed ... APPLICANT

VERSUS

Subhash s/o Ramkishan Ambhore & ors. ... RESPONDENTS

.....
Shri P.S. Kochar, Advocate for applicant
Shri S.R. Andhale, Advocate for respondents No.1 to 3
.....

CORAM: A.M. DHAVALÉ, J.

DATED : 6th August, 2018.

ORAL ORDER :

1. Heard learned Advocates for the parties. Respondent No.3 is dead and the appeal came to be dismissed for not taking steps to bring her daughter on record and to serve her. Respondents No.1 and 2 are the sons of deceased respondent No.3. There is proper representation. The application for condonation of delay will not abate on the ground of not bringing the daughter on record. Learned Advocate for respondents No.1 and 2 shall supply the names and addresses of the other legal

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heirs. The applicant shall serve the summons on the proposed legal heir within two weeks without fail. If necessary, the applicant shall take the services of Special Bailiff. Hamdast allowed. On these conditions, the restoration application is allowed. The dismissal order is set aside. Civil Application is disposed of.

(A.M. DHAVALA)
JUDGE

fmp/