

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

CIVIL APPLICATION NO. 6862 OF 2015
IN
SECOND APPEAL NO. 787 OF 2005

Khaja Fashiuddin S/o Khaja Moinuddin Died
Through LRs. and Ors.

...Applicants

Versus

Khaja Rashiuddin S/o Khaja Mainuddin Died
Through LRs. and Ors.

...Respondents

Mr. A.D. Hande, Advocate holding for
Mr. A.M. Gaikwad, Advocate for Applicants
Mr. A.N. Ansari, Advocate for LRs. of Respondent no.1
Mr. J.V. Patil, Advocate for Respondent 2

.....

CORAM : A.M. DHAVAL, J.
DATE: 31st OCTOBER, 2018

ORAL ORDER :

1. Heard learned Advocates. Respondent No.2 - Habiba Begum died 01.01.2014 at Hyderabad. A death Certificate is filed. The applicants are residing at Latur. They learnt about her death in March, 2014, and thereafter, when they have talk with their Advocate, they learnt about the necessity to bring the legal heirs on record. Thereafter, they collected a death certificate and other documents and filed this application on 29.04.2015. The proposed legal heirs though served, have not

appeared. As the applicants were not aware about the necessity to bring the legal heirs on record and after coming to know about the same, they have taken steps. The application is allowed.

2. The legal heirs be brought on record.

(A.M. DHAVALA)
JUDGE

mta