

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

**935 CIVIL APPLICATION NO. 9276 OF 2018
IN CA/3960/2018 IN SA/575/2003**

**DHONDIBA BAYAJI SABNE (DECEASED) LRS BAYAJI DHONDIBA SABNE
VERSUS
HAFIJABEE MAINUDDIN SHAIKH AND ORS**

...
Advocate for Applicant : Mr. V.D. Gunale
Advocate for Respondent Nos. 1A, 1B, 2 and 3 : Mr. S.C. Swami
Advocate for Respondent No.4 : Mr. G.L. Deshpande

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**CORAM : V.L. ACHLIYA, J.
DATED : 21st SEPTEMBER, 2018**

PER COURT:-

1. The present application is filed to bring the legal heirs of deceased respondent no.1 on record with condonation of delay in filing application to set aside the order of dismissal of appeal in default of appellant to take steps to serve the respondent.
2. Heard the learned counsel for the applicant and respondent nos. 1A and 1B the proposed respondents.
3. Considering the cause assigned, the application is allowed in terms of prayer clauses 'A', 'B' and 'B1'. Necessary substitution be carried out within one week.
4. The civil application is disposed of in the aforesaid terms.

**(V.L. ACHLIYA)
JUDGE**