

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

Civil Application No. 00181 of 2018
(In Second Appeal No. 0675 of 2005)

District : Nandurbar

Pyarmohammad Dinmohammad Mistary
& 04 others.

.. Applicants.

versus

Chiragoddin Subhan Mistary
& others.

.. Non-applicants.

.....

Mr. A.S. Abhyankar, Advocate, for the applicants.

Mr. Rajesh Patil, Advocate, for non-applicant no.01.

*Application abated as against non-applicant no.04,
08A, 09 & 12.*

Non-applicant no.05 dead.

Application dismissed as against non-applicant no.06.

Non-applicants no.12/1 to 12/6 served.

.....

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 31ST JANUARY 2019

ORAL ORDER :

01. Present application has been filed to bring the legal representatives of respondent no.02 on record.

02. Heard both sides.

03. It appears that respondent no.12 was the sister of respondent no.01. Respondent no.01 has not intimated the fact of her death. Under such circumstance, there appears to be delay of 2163 days in bringing the legal representatives on record. Taking into consideration the fact that the death was not intimated earlier, there is a reasonable ground to condone the delay.

04. Hence, the application is allowed. Delay is condoned. The legal representatives of respondent no.12 are permitted to be brought on record. Amendment be carried out within two weeks.

05. It is stated that the paper-book is already submitted and the matter is ready for hearing. As regards fixing the matter for final hearing is concerned, the respondent is given liberty to mention the matter on 18th March 2019.

(**Smt. Vibha Kankanwadi**)
JUDGE

.....