

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

925 CIVIL APPLICATION NO. 2271 OF 2006
IN
WRIT PETITION NO.3307 OF 1998
WITH CA/1424/2000 IN WP/3307/1998 WITH CA/6450/2011 IN
WP/3307/1998 WITH CA/6038/2011 IN WP/3307/1998 WITH
CA/7896/2019 IN WP/3307/1998

NOOR KHAN MUSTAFA KHAN
VERSUS
MARATHWADA WAKF BOARD, AURANGABAD AND ORS

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Advocate for Petitioner : Mrs. M D Thube Mhase h/f A.B. kale
Advocate for Respondent No.1 : Mr. M. D. Mustafa Ahmed Momin
Advocate for Respondents 2A, 5 to 9 : Mr. M. M. Patil Beedkar
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CORAM : V. K. JADHAV, J.
DATED : 6th DECEMBER, 2019

PER COURT:-

1. Learned counsel for the applicant submits that though respondent No. 4-A died on 22.8.2003, at Latur, the applicant after receipt of information about his death filed an application for obtaining the death certificate in the Municipal Council, Latur and received the same on 7.10.2005. Learned counsel submits that even after obtaining the death certificate, the applicant was required to make search with regard to the legal heirs of respondent No.4-A as most of them are residing out of Latur and their correct addresses were not available. In view of the same, delay has been occurred. Though the proposed legal heirs of respondent No. 4-A are served and counsel Shri R.K. Ashtekar is appearing on behalf of them, none present for them today.

2. In view of above submission and for the reasons stated in the application, the application is allowed in terms of prayer clause "B". Civil application is accordingly disposed of.

3. List the writ petition for final hearing on 12.12.2019.

(V. K. JADHAV, J.)

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