

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION ST. NO. 32664 OF 2004 IN
WRIT PETITION NO. 5123 OF 2002

Devendrakumar Atmaram Gajeshwar Applicant

Versus

Nathu Namdeo Mahajan
& others Respondents

Mr. M.M. Bhokarikar, Advocate for the applicant.
Mr. A.M. Gholap, Advocate for respondents no. 1,2,4 and 5.

CORAM : M.S. KARNIK, J.
DATE : 9th August, 2019.

PER COURT :

1. This is an application for setting aside abatement of the petition against respondent no. 4.
2. Respondents no. 4A to 4F are the legal heirs of respondent no. 4. Notices were issued to respondent nos. 4A to 4F in Civil Application No. 5826/2005 and they are duly served. Respondent nos. 4A to 4F are not present pursuant to issuance of notice in Civil Application No. 5826/2005.
3. In this view of the matter, as the legal heirs of respondent no.4 are permitted to be brought on record, present application deserves to be allowed in terms of prayer clause 'B'. Abatement of petition against respondent no. 4 is set aside. Civil application accordingly stands disposed of.

(M.S. KARNIK, J.)

dyb/