

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

**CIVIL APPLICATION NO.10368 OF 2018
IN SA/449/2012**

VENUBAI NATHRAO DAHIPHALE AND ORS
VERSUS
MATHRUABAI SHANKARRAO MUNDHE LRS SANGRAM AND
OTHERS

...

Mr.V.C. Patil holding for Mr.U.B. Bondar, Advocate
for applicants.

...

CORAM: V.L. ACHLIYA,J.

DATE : 19.07.2019

ORAL ORDER:

The applicants/appellants have taken out this application for setting aside the order of abatement and to bring legal heirs of deceased Respondent No.1 on record with condonation of delay of 472 days in filing application for the reasons set out in detail in the application.

2. Heard learned counsel for the applicants/appellants. None present for the respondents, though duly served and Respondent Nos.1-A to 1-C recorded appearance through Advocate Mr.S.V. Mundhe.

3. Considering the reasons assigned and the fact that appeal is still pending for admission from the year 2012, I am inclined to allow the application. The application is allowed in terms of prayer clauses "B", "C" and "D". Necessary amendment be carried out within one week.

3. List the appeal for admission on 1st August, 2019.

[V.L. ACHLIYA]
JUDGE

SGA