

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

**WRIT PETITION NO.14509 OF 2017
WITH
CIVIL APPLICATION NO.3409 OF 2019
IN WP/14509/2017
WITH
CIVIL APPLICATION NO.3410 OF 2019
IN WP/14509/2017**

**WITH
WRIT PETITION NO.14534 OF 2017
WITH
CIVIL APPLICATION NO.3411 OF 2019
IN WP/14534/2017
WITH
CIVIL APPLICATION NO.3412 OF 2019
IN WP/14534/2017**

**GANESH SAMPAT AWACHAR AND ANOTHER
VERSUS
ABDUL RAHIM SHAIKH CHAND DIED LRS SHAIKH MUJIB AHMED
SHAIKH AND OTHERS**

...
Advocate for the petitioners / applicants : Smt.R.S.Kulkarni h/f Shri
Kulkarni Sudhir D.

Advocate for Respondent no.1 : Shri K.D.Jadhav

...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 22nd November, 2019

Per Court:

1 Civil Application nos.3409/2019 and 3410/2019 have been

filed by the petitioners for seeking condonation of delay and for bringing the legal heirs of the deceased respondent nos.6 and 15 on record in Writ Petition No.14509/2017. Similar Civil Application Nos.3411/2019 and 3412/2019 have been filed in Writ Petition No.14534/2017 for the same purpose. Despite service of court notice, the legal heirs have not caused an appearance either in person or through an advocate.

2 In view of the above, Civil Application Nos.3409/2019 and 3411/2019 are allowed on payment of costs of Rs.3000/- (Rupees Three Thousand) and Civil Application Nos.3410/2019 and 3412/2019 are allowed on payment of costs of Rs.5000/- (Rupees Five Thousand), on the following conditions :-

- (a) The total amount of Rs.8000/- (Rupees Eight Thousand) shall be deposited by the applicants/ petitioners as donation for the Ghati Hospital, Aurangabad (Government Medical College and Hospital, Aurangabad), to be deposited with the Medical Officer, High Court Dispensary, Aurangabad, either in cash or by Demand Draft, to be drawn in the name of "Dean, Government Medical College and Hospital Dengi Samiti, Aurangabad" and they shall produce a receipt of such deposit before the Registry of this Court on or before 20.12.2019.
- (b) The legal heirs shall be brought on record in the writ petitions on or before 20.12.2019.

3 The learned advocate for the petitioners submits that the unserved respondents in the writ petitions as well as the legal heirs of the deceased respondents would be served through the paper publication in daily "Punya Nagari".

4 In view of the above, office to re-issue notice in the writ petitions to the unserved respondents including the legal heirs of the deceased respondent nos.6 and 15, returnable on 20.01.2020. Notice shall be published in daily "Punya Nagari", Hingoli edition, at least 21 days prior to the returnable date in this matter and the copy of the newspaper shall be placed on record.

kps

(RAVINDRA V. GHUGE, J.)