

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

CIVIL APPLICATION NO.15643/2016 IN SA/625/2005

BHIKAN VITHOBA AAGLE
VERSUS
TOTARAM RAISINGH AAGLE LRS SUMANBAI AND
OTHERS

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Advocate for Applicant : Mr Bhandari Anand P.
Advocate for Respondents 2-9 : Mr M. M. Joshi
Mr S R Dheple For R/12a-1 To 12a-5

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CORAM : SMT. VIBHA KANKANWADI, J.
Dated : March 15, 2019

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PER COURT :-

1. Present application has been filed for condonation of delay of 32 days caused in bringing the legal representatives of respondent no.1F on record.

2. It has been contended that respondent no.1F expired on 24.6.2016. The appeal is pending and waiting its turn for final hearing. It is stated that when the applicant had contacted his advocate regarding the status of his appeal, at that time, he informed about the fact of death of respondent no.1F. Thereafter, time was consumed upon the legal advise, to secure the death

certificate, names and addresses of the legal representatives of deceased respondent and further due to his ill-health and communication gap there was a delay.

3. Proposed legal representatives of respondent no.1F were duly served, but they failed to appear in the matter. Under such circumstance, there is no contest to the application. The application is allowed in terms of prayer clause 'B' and 'C'. Legal representatives of respondent no.1-F be brought on record within 14 days from the date of this order. Application stand disposed off accordingly.

(SMT. VIBHA KANKANWADI, J.)

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