

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

952 CIVIL APPLICATION NO.9175 OF 2019
IN
SECOND APPEAL NO.761 OF 2007

SHAIKH OMER SHAIKH AMIN
(DIED) L.RS.SHAikh HAFIZ (DIED)
LRS AFSAR BEGUM AND OTHERS
VERSUS
DHAVJI GANU PAWAR (DIED)
LRS PANDU AND OTHERS

...
Ms.A.N.Ansari, Advocate for the applicants.

...
CORAM : V.L.ACHLIYA,J.
DATE : 06.03.2020

P.C.

1] This application is filed to bring the legal heirs of deceased appellant no.3-iii, with prayer for condonation of delay, by setting aside the order of abatement.

2] Heard learned counsel for the applicants. None present for the respondents.

3] On due consideration of the submissions advanced in the light of facts pleaded in the application and the delay has been properly explained, I am of the view that the application deserves to be allowed.

Accordingly, the application is allowed in terms of prayer clauses 'B', 'C' and 'E'.

4] Necessary amendment/substitution be carried out within two weeks from today.

5] Amended copy of the memo of appeal be furnished to the other-side.

6] Civil Application is disposed of in above terms.

[V.L.ACHLIYA]
JUDGE

DDC