

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

**CIVIL APPLICATION NO.2105 OF 2020
IN SAST/26668/2019 WITH CA/13078/2019 IN SAST/26668/2019 WITH
CA/13079/2019 IN SAST/26668/2019**

**VASANT LAXMAN RATHOD DIED LRS PINTU @ AVINASH VASANT
RATHOD AND OTHERS**

VERSUS

**RAMDAS DATTU RANKHAMB DIED AGATRAO DATTU RANKHAMB
AND OTHERS**

...

Advocate for Applicants : Mr. Wakure Sanjay A.

...

CORAM : MANGESH S. PATIL, J.

DATE : 08.04.2022

PER COURT :

This is an application for setting aside abatement by condoning the delay *qua* the respondent No.1 and to bring on record his legal heirs in the Second Appeal. The proposed legal heirs have been duly served but none is appeared.

2. For the reasons mentioned in the Application, the Application is allowed. The delay is condoned. The abatement is set aside. The legal heirs are allowed to be brought on record. Necessary amendment to be carried out within two weeks. After such amendment is carried out, issue notice to the proposed legal heirs of the respondent No.1 in the Second Appeal, returnable on 17.06.2022.

(MANGESH S. PATIL, J.)