

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

**943 CIVIL APPLICATION NO. 3572 OF 2017
IN SA/588/2006**

**GIRIDHAR DADARAO DHERE AND ORS
VERSUS
DADARAO MAHIPATI DHERE AND ORS**

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Advocate for Applicants : Mr. A. N. Nagargoje
Counsel for the respondent is absent.

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**WITH
SECOND APPEAL NO.588 OF 2006**

**CORAM : RAJESH S. PATIL, J.
DATE : NOVEMBER 21, 2022**

PER COURT : -

1. This Civil Application is filed for recalling the order dated 08.06.2016 and for issuance of fresh notice to respondent no. 1A.
2. The order dated 08.06.2016 passed in Second Appeal No. 588 of 2006 recorded that, no steps were taken for serving respondent no. 1A and hence the matter was dismissed as against respondent no. 1A.
3. Advocate for the applicant states that the order dated 08.06.2016 wrongly recorded as respondent no. 1A instead of respondent no. 1 since there is no respondent no. 1A in the cause title. Advocate for the applicant also informs that now respondent no. 1 has died on 20.06.2018.

4. In view of the same and in view of the subsequent development, the present civil application is allowed in terms of prayer clause 'A' and 'B'.

5. Advocate for the applicant also informs that the legal heirs of respondent no. 1 are already on record. In view of the said fact, advocate for the applicant to take necessary steps.

6. Civil Application is accordingly disposed off.

[RAJESH S. PATIL]
JUDGE