

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

923 CIVIL APPLICATION NO. 4272 OF 2015
IN
SECOND APPEAL NO.1295 OF 2005

SANJIDABI ZIYAUDDIN KAZI (DIED) THROUGH L.RS.
ZIAUDDIN S/O CHIRAGODDIN KAZI AND OTHERS
VERSUS
MOINODDIN ABDUL RAHMAN KAZI and ORS.

.....
Advocate for Applicants : Mr. S.P. Brahme
Advocate for Respondents : Mr. Jeevan R. Patil h/f Mr. G.B. Rajale
Advocate for Respondents : Mr. A.B. Kadethankar
Advocate for Respondents : Mr. Bharat Pankaj
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CORAM : BHARAT P. DESHPANDE, J.
DATED : 12th AUGUST 2022

PER COURT:-

1. This is an application for condonation of delay of 1091 days in bringing legal heirs of deceased respondent No.17 Kamlabai on record. The proposed legal heirs were duly served by way of paper publication. However, none appears for them.

2. Heard.

3. Considering the grounds raised in para 1 to 3 of present application, it appears that there is sufficient ground to condone the delay, set aside the abatement and to allow to bring the legal heirs of respondent No.17 on record. Hence, the following order.

O R D E R

- I. Civil application stands allowed.
- II. Delay of 1091 days in bringing legal heirs of respondent No.17 on record is hereby condoned.
- III. Abatement, if any, stands set aside.
- IV. Legal heirs of respondent No.17 are permitted to be brought on record. Amendment to be carried out within 14 days from today.
- V. Civil application stands disposed of.

(BHARAT P. DESHPANDE, J.)

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