

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

923 CIVIL APPLICATION NO. 4273 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 861 days in bringing legal heirs of deceased respondent No.16 on record. Notices were issued to the proposed legal heirs, who are duly served. For some of the proposed legal heirs advocate Shri G.B. Rajale appears.

2. Heard.

3. Considering the reasons disclosed in para 1 to 3 of the present application, there is sufficient ground to condone the delay, set aside the abatement and to allow to bring the legal heirs of respondent No.16 on record. Hence, the following order.

O R D E R

- I. Civil application stands allowed.
- II. Delay of 861 days in bringing legal heirs of respondent No.16 on record is hereby condoned.
- III. Abatement, if any, stands set aside.
- IV. Legal heirs of respondent No.16 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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