

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 6158 OF 2022
IN FIRST APPEAL NO. 3456 OF 2016

THE STATE OF MAHARASHTRA AND OTHERS
VERSUS
RAHIM KASHIM SHAIKH (DIED) THR LRS RAFIQ AND
OTHERS

...
AGP for Applicants : Mr. S.S. Dande
Advocate for Respondent Nos.1-B to 1-D : Mr. G.V. Patil
....

CORAM : S.G. DIGE, J.
DATE : 29th September, 2022

ORDER :

. Heard learned A.G.P. for applicants and learned Counsel for respondent Nos.1-B to 1-D.

2. Learned A.G.P. for applicants submits that, applicants could not take steps within stipulated period. Hence, appeal against sole respondent is abated by the order dated 4th June, 2019 of learned Registrar (Judicial) of this Court.

3. Learned Counsel for respondents submits that, they

could now get the death and heirship certificate of deceased – respondent. By this application he is praying to bring legal heirs of respondent on record. Hence, requested to set aside the order passed by the learned Registrar (Judicial) of this Court and allow the application to bring legal heirs on record.

4. Considering the submissions of both the learned Counsel and reasons mentioned in the application, application is allowed.

5. Order passed by the learned Registrar (Judicial) of this Court dated 4th June, 2019 is quashed and set aside.

6. Legal heirs of deceased Rahim Kashim Shaikh be taken on record within two weeks.

7. The Civil Application is disposed of.

8. List the matter on 24th November, 2022.

[S.G. DIGE, J.]