

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

**917 CIVIL APPLICATION NO.9642 OF 2013 IN SA/734/2003 WITH
CA/15142 OF 2013**

AFZALBEE FAKRULLAH SHAH LRS FARAHAT BEGUM
VERSUS
AZMATULLA SHAH@ MAOLABISHAH S/O RAHMATULLA SHAH
AND OTHERS

...
Advocate for Applicant : Mrs. A.N. Ansari
Advocate for respondent no.1-B: Mr. S.S. Kazi

...
CORAM : RAJESH S. PATIL, J.
DATE : NOVEMBER 18, 2022

PER COURT :

CIVIL APPLICATION NO. 9642 OF 2013 IN S.A. No. 734 OF 2003:

1. This Civil Application is filed for setting aside the abatement and allowing original respondent no.2 – Fazullah Khan Manwar Ilahi Khan's legal heirs to be transposed as appellants.
2. Advocate Mr.S.S. Kazi appearing for respondent no.1-B fairly states that he has no objection, if this civil application is allowed.
3. In view of the same, the civil application no.9642/2013 is allowed in terms of prayer clauses "B", "C" and "D".
4. The Civil Application stands disposed off.
5. Advocate Mrs. Ansari should carry out the amendment to transpose the parties within a period of three (03) weeks from today.

CIVIL APPLICATION NO. 15142 OF 2013 IN S.A. NO. 734 OF 2003:

1. In view of the order passed today in Civil Application No.9642 of 2013, the Advocate for the applicants in Civil Application No.15142 of 2013 states that he is not pressing this application.

2. In view of the same, Civil Application No.15142 of 2013 is disposed off as not pressed.

SECOND APPEAL NO. 734 OF 2003 :

List this Second Appeal for final hearing on **25th November, 2022.**

[RAJESH S. PATIL]
JUDGE

sga/-