

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

923 CIVIL APPLICATION NO. 10652 OF 2009
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
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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 1566 days caused in bringing legal heirs of deceased respondent No.11 on record. The proposed legal heirs are duly served, however, on one appears for them.
2. Heard.
3. Considering the grounds mentioned in the application, delay in filing the said application needs to be condoned. Abatement, if any, needs to be set aside and the legal heirs are required to be brought on record. Hence, the following order:-

O R D E R

- I. Civil application stands allowed.
- II. Delay of 1566 days in bringing legal heirs of respondent No.11 on record is hereby condoned.
- III. Abatement, if any, stands set aside.
- IV. Legal heirs of respondent No.11 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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