

SGA

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

CIVIL APPLICATION NO. 4772 OF 2020
IN
SECOND APPEAL NO.36 OF 1995
WITH
CIVIL APPLICATION NO. 732 OF 1995
IN
SECOND APPEAL NO. 36 OF 1995

Sk. Rasool Sk. Abdul Saheb
(Died) Through his L.Rs.
and others

... Applicants

Versus

Hamida Begum Abdul Samad Khan
Died through her L.Rs.
1(i) Zakir Samadkhan Pathan
and others

... Respondents

...
Mr. M.M. Patil Beedkar – Advocate for applicants
Mrs. A.N. Ansari – Advocate for respondent No.1(i) to 1(vi)

...
CORAM : GAURI GODSE, J.
DATE : 13th January, 2023

PER COURT :

Civil Application No. 4772 of 2020 :

1. This application is for bringing on record the heirs and legal representatives of appellant no.1b. Mrs. Ansari, learned counsel appears for the respondents.

2. For the reasons stated in the application, the application is allowed in terms of prayer clauses “B” and “C”, which read thus:-

“B) Delay of 1148 days in filing this Civil Application may kindly be condoned.

C) The applicants may be permitted to bring Legal Representative of appellant no.1b in Second Appeal no.36/1995 i.e. as per details mentioned in para no.3 of this Civil Application on record of Second Appeal no. 36/1995 as legal representatives of late Ajim Raool Mujawar”.

3. Necessary amendment to be carried out within two weeks from today.

4. List the second appeal for final hearing in a week commencing from 30th January, 2023.

Civil Application No. 732 of 1995 :

1. This application is for stay to the impugned judgment and decree. Second Appeal is already admitted and interim stay was granted on 6th February, 1995. Hence the order dated 6th February, 1995 to continue during the pendency of the second appeal.

2. Civil application No.732 of 1995 is allowed, in terms of order dated 6th February, 1995.

[GAURI GODSE]
JUDGE