

SGPunde

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 656 OF 2022
IN
SECOND APPEAL NO. 288 OF 1990
WITH
SECOND APPEAL NO.288 OF 1990
WITH
WRIT PETITION NO. 3735 OF 2014
WITH
WRIT PETITION NO. 4047 OF 2014
WITH
CIVIL APPLICATION NO. 6220 OF 2022
IN
WRIT PETITION NO. 3735 OF 2014
WITH
WRIT PETITION NO. 6172 OF 2014
WITH
WRIT PETITION NO. 4957 OF 2014
WITH
CIVIL APPLICATION NO. 2683 OF 2022
IN
WRIT PETITION NO. 3735 OF 2014

Syed Akbar Syed Noor and others	...Applicants
<i>Versus</i>	
Syed Nawazishali Syed Lal and others	...Respondents

...

Mr. Vinesh C. Solshe – Advocate for applicants
Mrs. Yashashree S. Mulay (Pawar) h/f Mr. M. M. Patil (Beedkar)
– Advocate for respondent nos. 1a to 1k, 4a, 7, 8a to 8h in SA
Mr. M. S. Choudhari – Advocate for respondent nos. 2, 3, 6, 9,
10, 11-A to 11-H and 14
Mr. Y. M. Khan – Advocate for respondent no. 15

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CORAM : GAURI GODSE, J.

DATE : 28TH FEBRUARY, 2023

PER COURT :

CIVIL APPLICATION NO. 656 OF 2022 :-

1. This application is filed for bringing on record the names of heirs and legal representatives of deceased-respondent no. 7.
2. Office remark shows that heirs and legal representatives of deceased-respondent no.7 are represented through advocate.
3. Learned counsel for the applicants state that respondent no. 7-A has also expired and the heirs and legal representatives are already on record in different capacity. He, therefore, seeks leave to amend the cause title to show respondent no. 7A as deceased, represented through Respondent nos. 7B to 7F.
4. There is no opposition to grant the present application.

5. Application is allowed in terms of prayer clause 'B', which reads thus:

'B' - This Hon'ble Court may be pleased to allowed the applicants to bring the L.Rs. of deceased respondent no.7 on record in second appeal No. 288/1990 as shown in para No.2 of this Civil Application.

6. Leave to amend is granted.
7. Amendment to be carried out within two weeks.

SECOND APPEAL NO. 288 OF 1990 :-

8. Office remark shows that the learned counsel, who was appearing for respondent no. 15, is no more. Respondent no. 15 is the Marathwada Wakf Board, Aurangabad.
9. Learned counsel for the appellants state that he will serve private notice upon respondent no. 15. Appellant is permitted to give private notice to respondent no. 15.
10. Office remark shows that respondent no. 2-A is reported to be dead.

11. Three weeks time is granted to the appellants to take steps as against the deceased-respondent no. 2-A.
12. Stand over to 28th March, 2023.

WRIT PETITION NOS. 3735 OF 2014, 4047 OF 2014, 3735 OF 2014, 6172 OF 2014, 4957 OF 2014 AND 3735 OF 2014 : -

13. Learned counsel appearing for respondents in the aforesaid writ petitions submit that though the writ petitions are tagged along with the second appeal, the writ petitions are yet to be heard for admission.
14. Second Appeal is admitted. Hence, office is directed to list the matters under the category 'for admission' of writ petitions after two weeks. To be listed under urgent category.

[GAURI GODSE]
JUDGE