

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

**CIVIL APPLICATION NO. 1803 OF 2020
IN
WRIT PETITION NO. 7205 OF 2011**

Shaikh Husen Shaikh Haider
Since deceased through his L.Rs.
Shaikh Pasha Shaikh Husen
and others

.. Applicants

Versus

Hamidoddin @ Hafijoddin Bashiroddin
Since deceased through L.Rs.
Amenabegum Mohammad Hamidoddin
@ Hafijoddin and others

.. Respondents

Mr. Rahil Kazi, Advocate h/f Mr. P. R. Katneshwarkar, Advocate for the Applicants.

Mr. G. R. Syed, Advocate for Respondent Nos. 4/1 to 4/4.

Smt. A. N. Ansari, Advocate for Respondent No. 4/5/a.

Mr. H. I. Pathan, Advocate for Respondent.

Mr. G. D. Kale, Advocate for Respondent No. 4/6.

CORAM : KISHORE C. SANT, J.

DATED : 27th JUNE, 2023.

P C. :-

. This application is filed by the original petitioner for bringing legal heirs of respondent Nos. 4/5 and 5 on record as 4/5-A to 4/5-E and 5/1 to 5/4. In this application, there is delay of 501 days caused in filing application for setting aside abetment of writ petition against the respondent No. 4/5 and delay of 891 days caused in filing application

for setting aside abetment of writ petition against respondent No. 5 as per the death certificate. The reason assigned for condonation of delay is that the applicants were not aware of death of respondents. They came to know about the death only when the pursis came to be filed by the respondents.

2. Considering this, the delay stands condoned.
3. The present civil application stands allowed in terms of prayer clauses (B), (C) and (D).
4. The civil application stands disposed off.

(KISHORE C. SANT, J.)

PS.B.