

Pooja K.

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 6916 OF 2016
IN
SECOND APPEAL NO. 723 OF 2005

Bhanudas Bhivrao Jawale (died)
Thr LRs Vithabai Bhanudas Jawale (died)
Thr Gajanan Bhanudas Jawale and Ors. ... Applicants
Versus
Kasambhai Ghashabhai Shaikh (died)
Thr LRs Sugrahee Kasambhai Shaikh and Ors. ... Respondents

...
Mr. A.V. Hon – Advocate for Applicants

....

CORAM : GAURI GODSE, J.

DATE : 20th February, 2023

PER COURT :

1. This Civil Application is filed for bringing on record names of heirs and legal representatives of deceased respondent no.1. There is delay in filing this application.
2. Office remark shows that, heirs and legal representatives of deceased respondent no.1 are served. Learned counsel appearing for applicants state that, he will also file service affidavit within a period of one week from today.

3. None appears for heirs and legal representatives of deceased respondent no.1. There is no opposition for allowing this application.
4. For the reasons stated in the application, delay is condoned and abatement is set aside. Application is allowed in terms of prayer clauses 'A' and 'B' which reads as under :
 - “A) Grant this civil application by condoning the delay of 293 days caused in filing this civil application for bringing the legal heirs of deceased respondent No.1.
 - B) The legal heirs and representatives of deceased respondent No.1 Kasambhai Ghashabahi Shiakh i.e. respondent Nos.1-A to 1-D, as mentioned in the title cause, be brought on record in the second appeal no.723 of 2005.”
5. Amendment to be carried out within a period of three weeks from today.

**[GAURI GODSE]
JUDGE**