

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

**942 CIVIL APPLICATION NO.6232 OF 2020
IN FA/485/2016**

**KASHINATH VITHAL BHUSARE (DIED) THR LRS PRAKASH
BHUSARE AND OTHERS**

VERSUS

SUMANBAI MOTIRAM PATIL AND ANOTHER

...

**Advocate for Applicants : Mr. Shete Gajanan S.
and Mr. S. T. Mahajan**

Advocate for Respondent No.1 : Mr. S. B.Yawalkar

...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 22.02.2023

PER COURT :

Heard learned counsel for the applicants. The respondent No. 2 is already dead whereas respondent No.1 despite service of paper publication remained absent. The order dated 02.03.2020 indicates that appeal of the applicants was dismissed for want of taking steps against the respondents. However, the learned counsel for the applicants pointed out that respondent No.2 is no more and he would take steps against respondent No.1. In view of the same the application stands allowed only in terms of prayer clause B subject to cost of Rs. 1000/- to be paid to the Advocate Associations' Bar Library, High Court, Aurangabad within two weeks.

2. Stand over to 08.03.2023.

**(SANDIPKUMAR C. MORE)
JUDGE**

shp/-