

SPChauhan

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

CIVIL APPLICATION NO. 10012 OF 2014
IN
SECOND APPEAL NO. 583 OF 2006

Jai-Hind Co-Operative Housing Society Ltd, Dhule ... Applicant

Versus

Sakharam Rama Patil Lrs Mathurabai
and others ... Respondents

....
Mr. M.M. Jadhav h/f. Mr. S.P. Shah – Advocate for Applicant
Mr. S.H. Pathan h/f. Mrs. S.T. Kazi – Advocate for Respondent No. 1
....

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

PER COURT :

1. This application is filed for bringing on record heirs and legal representatives of deceased respondent no. 1.
2. There is delay in filing the Second Appeal. Notices of the application is served upon heirs and legal representatives of deceased respondent no. 1 and they are represented through Advocate. There is no opposition to the present application.
3. For the reasons stated in the application, it is allowed in terms of prayer clauses 'a', 'b' and 'c', which read thus :

- “a. The Hon’ble High Court may be pleased to condone the delay of 4 years 57 days caused in filing this Application for setting aside the abatement of Second Appeal No. 583/2006 as against the Respondent No.1.
- b. The Hon’ble High Court may be pleased to set aside the abatement of Second Appeal No.583/2006 as against the Respondent No.1.
- c. The Hon’ble High Court may be pleased to permit the present applicant to bring on record the legal representative of deceased Respondent No.1 as mentioned paragraph No.6 of the present Civil Application by condoning delay.”
4. Amendment to be carried within a period of four weeks from today.

[GAURI GODSE]
JUDGE