

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

963 CIVIL APPLICATION NO.4611 OF 2023
IN SA/491/1994 WITH CA/13640/2017 IN SA/491/1994 WITH
CA/13642/2017 IN SA/491/1994 WITH CA/13641/2017 IN
SA/491/1994 WITH CA/13639/2017 IN SA/491/1994 WITH
CA/4612/2023 IN SA/491/1994

BAPURAO HANSAJI GAIKWAD DIED LRS. SHESHABAI DIED
LRS.RUKMINABAI AND ORS.
VERSUS
POTANNA UMAJI NAIKWADE (DIED) LRS BAPURAO DIED LRS. MARUTI
AND ORS.

...
Advocate for Applicants : Mr. Narwadkar Mrigesh D.
Advocate for Respondent No.1(iv) : Mr. V. D. Patnoorkar
...

CORAM : ARUN R. PEDNEKER, J.
DATE : 09th June, 2023

PER COURT :

1. Heard the learned Advocate for the parties.
2. The Civil Application No.13639 of 2017 is filed for restoration of Second Appeal No.491 of 1994 by condoning the delay of 1988 days.
3. As there is no objection to allow the said application, the order dated 13/01/2012, passed by this Court in Second Appeal No.491 of 1994 is recalled.
4. The Second Appeal no.491 of 1994 is restored and civil application is allowed and disposed of.
5. The condition of supplying paper book is dispensed with.

6. The Civil Application No.13640 of 2017 is filed to bring the legal heirs of deceased respondent No.1(i) on record.

7. As there is no objection to allow the said application, the same is allowed and disposed of.

8. The Civil application No.13641 of 2017 is filed to bring the legal heirs of deceased respondent No.1(ii) on record.

9. As there is no objection to allow the said application, the same is allowed and disposed of.

10. The Civil application No.13642 of 2017 is filed to bring the legal heirs of deceased respondent No.1(iii) on record.

11. As there is no objection to allow the said application, the same is allowed and disposed of.

12. The Civil application No.4612 of 2023 is filed to bring the legal heirs of deceased appellant on record.

13. As there is no objection to allow the said application, the same is allowed and disposed of.

14. Necessary amendment be carried out forthwith.

15. In Civil Application No.4611 of 2023, the parties submit that they have settled the matter and they have filed the settlement terms on record. The parties are present in the Court today.

16. The learned Registrar (Judicial) to verify the terms of settlement and also names of the parties.

17. Since the parties are present in the Court, they may go to the office of the Registrar (Judicial) at 4.30 p.m.

18. The learned Registrar (Judicial) to submit the report within a period of two weeks from today.

(ARUN R. PEDNEKER, J.)

vj gawade/-.