

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

**921 CIVIL APPLICATION NO.10214 OF 2023
IN
SA/192/2019 WITH CA/4188/2019 IN SA/191/2019
WITH CA/10251/2023 IN SA/192/2019 WITH
CA/10250/2023 IN SA/192/2019 WITH
CA/10216/2023 IN SA/191/2019**

**ABDUL RASHID SHAK BISMILLA BAGWAN DECEASED THROUGH
LRS AB. GULAM AND OTHERS
VERSUS
DAGDU BAPU KHADKE DECEASED THROUGH LRS VISHWANATH
THROUGH LRS USHABAI AND OTHERS**

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Advocate for Applicants/CA/10214/2023:

Mr. Syed Azizoddin R.

Advocate for Applicants/CA/10250/2023:

Mr. Shaikh Tarek Mobin H.

Advocate for Applicant/CA/10251/2023:

Mr. Patil Hanmant V.

Advocate for Applicants/CA/10216/2023:

Mr. Shaikh Tarek Mobin H.

Advocate for Appellants: Mr. Subodh P. Shah

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CORAM : ARUN R. PEDNEKER, J.

DATE : 18th AUGUST, 2023

PER COURT:

1. Civil Application No.10251 of 2023 in Second Appeal No.192 of 2019 for addition party is allowed as there is no objection. The learned counsel for the appellants to carry out the necessary amendment within a period of three (03)

weeks from today. The civil application is disposed of.

2. Civil Application No.10250 of 2023 in Second Appeal No.192 of 2019 is filed for deletion of the applicants / appellants no.1A-1 to 1A-6. Mr. Shaikh Tarek Mobin H., learned counsel for the applicants /appellants no.1A-1 to 1A-6 submits that the applicants /appellants no.1A-1 to 1A-6 have relinquished their rights in favour of appellant no.1A-7, and, as such, they be deleted from the array of the appellants. The learned counsel for the non-applicants has no objection for the same. The learned counsel also submits that the power of attorney holder Mrs. Bharti Shashikant Chaudhari is present in the court. As there is no objection to the civil application from any of the parties present, the same is allowed and disposed of. Necessary amendment shall be carried out within a period of three (03) weeks from today.

3. In Civil Application No.10214 of 2023 in Second Appeal No.192 of 2019 , Mr. A. R. Syed, learned counsel appears for the the applicants / legal heirs of respondent no.1 and submits that the the applicants / legal heirs of respondent no.1 have assigned their rights in the property to the other remaining respondents no.2 to 6, as such, they do not need to contest the present matter. The learned counsel also submits that the power of attorney holder of the legal heirs of respondent no.1 is present in the court. The learned counsel for the non-applicants has no objection for the same. In view of the same, the civil application is allowed and disposed of. Necessary amendment shall be carried out within a period of three (03) weeks from today.

4. In Civil Application No.10216 of 2023 in Second Appeal No.191 of 2019, Mr. Shaikh Tarek Mobin H., learned counsel appears for the applicants / appellants No.1A-1 to 1A-6 and submits that the rights are assigned in favour of appellant no.1A-7 and that the applicants /

appellants No.1A-1 to 1A-6 seek deletion from the array of appellants. The learned counsel also submits that the power of attorney holder for the applicants / appellants no.1A-1 to 1A-6 is also present in the court. The learned counsel for the non-applicants has no objection for the same. The civil application is allowed and disposed of. Necessary amendment shall be carried out within a period of three (03) weeks from today.

[ARUN R. PEDNEKER, J.]

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