

SGP

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 9395 OF 2018
IN
SECOND APPEAL [ST] NO. 33779 OF 2017

Kamrunbi Shikh Nasir ... Applicant
Versus
Shafiyoddin Amanoddin Munshi & Ors. ... Respondents

...
Mr. A. A. Joshi h/f Mr. S. V. Nattu – Advocate for Applicant
Mrs. Rutuja L. Jakhade – Advocate for Respondents
....

CORAM : GAURI GODSE, J.
DATE : 9th January, 2023

PER COURT :

1. This civil application is filed for condonation of 93 days delay in filing the present application.
2. Respondent no. 1, who is original plaintiff, is represented by advocate. Respondent no. 2, who is original defendant no. 2, is served. So far as respondent no. 3 is concerned, who is original defendant no. 3, he is shown as deceased in the present application. Learned counsel appearing for the applicant states that since respondent no. 3 is original defendant, he doesn't wish to take any steps to his extent. Issue as to whether the legal

heirs of deceased respondent no. 3 are necessary parties is kept open. For the reasons stated in the application, same is allowed in terms of prayer clause 'A'.

3. List the second appeal for admission on 07th February, 2023.

[GAURI GODSE, J.]