

SPChauhan

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

CIVIL APPLICATION NO. 16136 OF 2015
IN
CIVIL APPLICATION NO. 6705 OF 2009
IN
SECOND APPEAL NO. 91 OF 1998

Ramchandra Namdeo Shinde
since deceased through his legal heirs,
Harnabai Ramchandra Shinde and others ... Applicants

Versus

Shivram Balaji Shinde,
since deceased through his legal heirs,
Kisan Shivram Shinde and others ... Respondents

...
Mr. V.R. Dhorde – Advocate for Applicants
Mr. – Advocate for Respondents

....

CORAM : GAURI GODSE, J.
DATE : 09th January, 2023

PER COURT :

1. This application is filed for setting aside order dated 09th October, 2015. By the said order, Civil Application No. 6705 of 2009 was dismissed as against respondent nos. 1-C and 1-D. Hence, in the present application the applicants have supplied fresh and correct addresses of respondent nos. 1-C and 1-D.

2. For the reasons stated in the application, following order is passed :

ORDER

- i. Order dated 09th October, 2015 in Civil Application No. 6705 of 2009 is set aside.
- ii. The civil application no. 6705 of 2009 is restored as against respondent nos. 1-C and 1-D.
- iii. Applicants are granted leave to amend the cause title of Civil Application No. 6705 of 2009 for adding the correct address of respondent nos. 1-C and 1-D.
- iv. Amendment to be carried out within a period of one week from today.
- v. After the amendment is carried out, office is directed to issue fresh notice to respondent nos. 1-C and 1-D on the corrected address, returnable six weeks, thereafter.
- vi. In addition to Court notice, applicants are directed to serve private notice to respondent nos. 1-C and 1-D and file affidavit of service before the next date, failing which, the Civil Application No. 6705 of 2009 will stand dismissed as against respondent nos. 1-C and 1-D.

**[GAURI GODSE]
JUDGE**