



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

4 CIVIL APPLICATION NO. 1366 OF 2024
IN SECOND APPEAL NO. 504 OF 2022

**NAJMA SHAIKH ABDUL KADAR DECEASED LRS. SHAIKH
JAVED ABDUL KADAR AND OTHERS**
VERSUS
SAYYED LALAJI PAPABHAI AND OTHERS

...
Mr. Sandip R. Sapkal – Advocate for Applicants
Mr. S.S. Dixit h/f. Mr. P.P. Kothari – Advocate for Respondent
No.1

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 2nd February, 2024

PER COURT :

1. Heard rival submissions.
2. The applicants are seeking permission to bring legal representatives of respondent No.2A, who admittedly died on 07.04.2021 as per the death certificate annexed, by condoning the delay of 919 days.
3. Learned Counsel – Mr. S.S. Dixit holding for learned Counsel – Mr. P.P. Kothari opposed the application on the ground that, there is inordinate delay. However, it is necessary

to bring on record the aforesaid legal representatives to decide the appeal on merits.

4. In view of the same, the application stands allowed in terms of prayer clauses 'B' and 'C' subject to cost of Rs.1,500/- (rupees One Thousand Five Hundreds only) to be paid to respondents within two weeks.

5. The application is accordingly disposed of.

6. After deposit of cost, the amendment be carried out.

7. Stand over to 16th February, 2024.

[SANDIPKUMAR C. MORE]
JUDGE