



911 CA 9519-2024

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

911 CIVIL APPLICATION NO. 9519 OF 2024
IN SECOND APPEAL NO. 379 OF 2014
WITH
CIVIL APPLICATION NO. 7686 OF 2022 IN SA/379/2014
WITH
SECOND APPEAL NO. 379 OF 2014
WITH
CIVIL APPLICATION NO. 7689 OF 2023 IN SA/379/2014

NURUNISSA BEGUM SAYED SUJAT ALI @ NAWAB AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Ms. Fhatema Kazi h/f. Mr. S.S. Kazi – Advocate for Applicants
Mr. D.B. Bhange – AGP for Respondent Nos.1 to 4, State
Mr. Nitin Jagadale h/f. Mr. V.D. Salunke – Advocate for Respondent
No.5

....

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 13th September, 2024

PER COURT :

CIVIL APPLICATION NO. 9519 OF 2024

1. Learned Counsel – Mr. Nitin Jagadale holding for Mr. V.D. Salunke waives service for proposed legal representatives of respondent No.6 i.e. respondent No.6 (2).
2. Learned Counsel for applicants submits that, respondent No.6 (1) is no more and she would delete his name subsequently.

3. Heard rival submissions.

4. This application is filed for bringing legal representatives of deceased respondent No.6 – Sayed Janimiya s/o. Abdul Quadar, who admittedly died on 23.06.2023, by condoning the delay of 301 days. Though the application is opposed but considering right to sue, the application stands allowed in terms of prayer clauses 'B' and 'C' subject to cost of Rs.500/- (rupees Five Hundreds only) to be paid to the Library, Advocates Association of High Court, Bombay, Bench at Aurangabad within two weeks. After that amendment be carried out.

5. Application is disposed of accordingly.

CIVIL APPLICATION NO. 7689 OF 2023

6. Heard rival submissions.

7. The application is filed for bringing legal representatives of deceased appellant No.1 – Nurunnisa Begum w/o. Sayed Sujat Ali, @ Nawab, who admittedly died on 20.03.2023, by condoning the delay of only one day. Considering the short period of delay, the application stands allowed in terms of prayer clauses 'A1' and 'B' and disposed of accordingly.

8. Amendment be carried out within stipulated period.

9. List the Civil Application No. 7686 of 2022 and Second Appeal No. 379 of 2014 on 27th September, 2024.

[SANDIPKUMAR C. MORE]
JUDGE