



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

11 CIVIL APPLICATION NO. 1049 OF 2024
IN SECOND APPEAL NO. 458 OF 2006
WITH
CIVIL APPLICATION NO. 942 OF 2023 IN SA/458/2006
WITH
SECOND APPEAL NO. 458 OF 2006
WITH
CIVIL APPLICATION NO. 661 OF 2020 IN SA/458/2006
WITH
CIVIL APPLICATION NO. 662 OF 2020 IN SA/458/2006
WITH
CIVIL APPLICATION NO. 1050 OF 2024 IN SA/458/2006

HABIBUNISA BEGUM RAFIQ AHMED
VERSUS
MOHD RASHEED INAYATULLAH KHAN (DIED) THROUGH L.RS.
WASIM BANO MOHD. RASHID AND OTHERS

...
Ms. A.N. Anari – Advocate for Applicant
Mr. T.K. Sant h/f. MR. P.P. Mandlik – Advocate for Respondent No.2
....

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 30th September, 2024

PER COURT :

CIVIL APPLICATION NO. 1049 OF 2024

1. Heard rival submissions.
2. The application is filed for bringing legal representatives of deceased respondent No.1C – Mohd. Mudassir s/o. Mohd. Rashid, who admittedly died on 28.07.2021 by condoning the delay of 741

days. Though the application is opposed by respondents but considering the right to sue the application stands allowed in terms of prayer clauses 'B' and 'C' subject to cost of 1000/- (rupees One Thousand only) to be paid to the Library, Advocates Association of High Court, Bombay, Bench at Aurangabad.

3. The civil application is disposed of accordingly.

4. Amendment be carried out within stipulated period and after deposit of cost.

CIVIL APPLICATION NO. 1050 OF 2024

5. Heard rival submissions.

6. The application is filed for bringing legal representatives of deceased appellant – Habbibunnisa Begum w/o. Rafiq Ahmed, who admittedly died on 05.02.2023 by condoning the delay of 184 days. Though the application is opposed by respondents but considering the right to sue the application stands allowed in terms of prayer clauses 'B' and 'C' subject to cost of 500/- (rupees Five Hundreds only) to be paid to the Library, Advocates Association of High Court, Bombay, Bench at Aurangabad.

7. The civil application is disposed of accordingly.

8. Amendment be carried out within stipulated period and after deposit of cost.

9. List the Civil Application No. 942 of 2023 alongwith Second Appeal No. 458 of 2006, Civil Application No. 661 of 2020 and Civil Application No. 662 of 2020 on 14th October, 2024.

[SANDIPKUMAR C. MORE]
JUDGE