



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

43 CIVIL APPLICATION NO. 4591 OF 2025
IN SA/330/2017
WITH
CIVIL APPLICATION NO. 4592 OF 2025
IN SA/330/2017

MOHAMMED JAKIODDIN SHAIKH AHMED LRS MOHAMMED
NAIMATULLA AND OTHERS

VERSUS

NAGU RAGHU JADHAV AND OTHERS

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Advocate for Applicant : Mrs. Ansari A.N.

Advocate for Respondent No. 4-1 to 4-3 in SA : Mr. R.S. Salve

Advocate for Respondent nos. 1 and 3 : Ms. Nayana Patil h/f Mrs. Surekha
Mahajan

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CORAM : SHAILESH P. BRAHME, J.

DATE : 23.09.2025

PER COURT :

Heard both sides.

2. These civil applications are for bringing legal heirs of respondent no. 2 as well as respondent no. 4/4 on record by condoning the delay. The proposed legal heirs of deceased respondents are served but none appears.
3. The learned counsel for the respondents opposes the applications and the submissions of the learned counsel for the applicants.
4. The averments in the applications have not been controverted by filing any reply. The material particulars of the death of respondent no. 2 and respondent nos. 4/4 were not available. The cause of action survives against their heirs. For the reasons stated in the applications, it is desirable to condone the delay and to permit the applicants to bring legal heirs on

record.

5. Both the applications are allowed by condoning the delay, setting aside the abatement and permitting the heirs of respondent no. 2 and respondent nos. 4/4 on record as shown in prayers of the applications. Both the parties shall be at liberty to carryout the amendment.

(SHAILESH P. BRAHME, J.)

mkd/-