



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

**11 CIVIL APPLICATION NO. 11618 OF 2023
IN SA/115/2015**

Bhurushah Bannushah Died Lrs Maharushah Bhurushah And
Others

VERSUS

Dadanshah Bannushah Dead Lrs Razzaqshah L.rs. Taslim And
Others

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Advocate for Applicant : Ms. Kazi Sabahat T.

Advocate for Respondents : Mr. Rahul B. Bagul

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : January 06, 2025

PER COURT :-

1. Present civil application is filed seeking permission to bring on record the legal heirs of deceased respondent no.1.A- Razzaqshah Dadanshah, who died on 30.8.2020. There is delay of 1004 days in filing present application.

2. Ms. S.T. Kazi, learned advocate appearing for the applicants submits that respondent no.1A died during pandemic period. Thereafter, there was change of advocate, due to miscommunication. As such, delay is caused which is not intentional. She would further submit that proceeding in appeal would not abate as other respondents were already on record. It is a suit for partition and separate possession.

3. Learned advocate appearing for respondents strongly opposed the application.

4. Taking into account reasons as stated in the application, it appears that delay of 1004 days is not intentional and pardonable. Consequently, civil application stands allowed in terms of prayer clauses B,C,D and E. Civil application stands disposed off. Amendment be carried out within a period of two weeks from today.

(S. G. CHAPALGAONKAR, J.)

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