



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

919 CIVIL APPLICATION NO. 11583 OF 2025
IN CRA/88/2018

MANSUR AHMED KHURSHID AHMED ZUBERI SINCE DECEASED THR
HIS LRS FARKUNDA W/O MANSUR ZUBERI AND OTHERS

VERSUS

AHESASUDDIN GHIASUDDIN (GAYASODDIN) DIED ABDUL ALIM
ABDUL RASHID DIED AND OTHERS

...

Advocate for Applicants : Ms. Vanita H. Sangole h/f Mr. Kazi Sabahat T.

Advocate for Respondent Nos. 1 and 3 : Mr. Kazi Fatama S.

Advocate for Respondent Nos. 2/1 to 2/5 : Mr. Adv Moinuddin Shaikh

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CORAM : AJIT B. KADETHANKAR, J.

DATE : 17.10.2025

PER COURT :

1. Heard Ms. Vanita H. Sangole h/f Mr. Kazi Sabahat T., learned Advocate for the applicants, would submit that during the pendency of the proceedings, applicant No. 1, namely, Mansur Ahmed Khurshid Ahmed Zuberi is expired, leaving behind him applicant Nos. 1-A to 1-C. She would further submit that the right and interest to sue is continued in the present proceedings and the property is devolved upon the applicant Nos. 1-A to 1-C under the capacity of legal representatives of deceased applicant No. 1.

2. Learned Advocate for the applicants would submit that some delay is occurred in filing the present Civil Application and in amending the title clause of the application and thereby incorporating the names of

applicant Nos. 1-A to 1-C. She would further submit that the delay is not intentional and due to leathery on the part of the applicants, but it was due to unawareness of the filing of the proceedings that was pending between the parties. She would further submit that valuable rights and interest of the applicant Nos. 1-A to 1-C are involved in the matter and she submits that the applicants wants to proceed with the matter under the capacity of legal representative of applicant No. 1.

3. Learned Advocates for the respondents have not expressed any objection to allow the present application. In view of the above, I proceed to pass following order :

ORDER

- (a) The Civil Application is allowed.
- (b) Delay of 534 days caused in filing present Civil Application is condoned.
- (c) The applicants are permitted to amend the title Clause of Civil Application and thereby to incorporate the names of applicant Nos. 1-A to 1-C, as legal representatives of deceased applicant No. 1.
- (d) Abatement, if any, stands set aside.
- (e) The applicants to amend the title Clause of the Civil Revision Application and the Civil Application, if any, therein, within four weeks from today.
- (f) Failure on the part of the applicants to amend the title Clause within stipulated period, it will take away the effect of this order.
- (g) List the matter for further consideration on

27.11.2025.

(h) Ms. Kazi Fatema, learned Advocate for the respondent Nos. 1 and 3 pointed out that the matter is pending since 2018 and the interim relief is operating in favour of the applicants.

(i) The Civil Application is allowed in aforesaid terms and is disposed of.

(AJIT B. KADETHANKAR)
JUDGE

mahajansb/