

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2343 OF 2015
IN
WRIT PETITION NO. 4524 OF 2013

Uttam N. Mahale

.. Applicant-Petitioner

vs.

Vithaldeo P. Baswant
through its Vahivatdar
Shriram Vishnu Kulkarni
(since deceased through his legal
heirs and representatives) and ors.

.. Respondents

Mr. P.N. Joshi for the Applicant-Petitioner.
Mr. S.G. Karandikar for Respondent No.1

CORAM : M. S. SONAK, J.
DATE : 7 DECEMBER 2015.

P.C. :-

1] The learned counsel, who used to earlier appear for the Respondent No.1 and who personally has authority to appear on behalf of one of the legal representatives of Respondent No.1, states that there is some issue pending before the Charity Commissioner with regard to change report. Apart from, the party for whom the learned counsel represents, there are other certain other claimants as well.

2] In the aforesaid circumstances, this civil application, which seeks to bring on record the legal representatives of deceased Respondent No.1 is allowed. However, the same shall be without

prejudice to the rights and contentions of the parties in the change report proceedings pending before the Charity Commissioner. The Petitioner-Applicant is, in fact, granted liberty to implead any further claimants, of course, without prejudice to the rights and contentions of the respective parties before the Charity Commissioner.

3] Civil Application is made absolute in terms of prayer clause (a), subject to the aforesaid. Necessary amendment to be carried out within a period of four weeks from today. Thereafter, the Applicant-Petitioner to serve notices upon the newly impleaded parties.

4] Civil Application is disposed of in the aforesaid terms.

(M. S. SONAK, J.)

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