

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10135 OF 2014

**Bastyav Liya Lope
since dead through LRs
Rajesh Bastyao Lopes and ors.**

: Petitioners.

Versus

Francis Silu Tuscan and ors.

: Respondents.

**ALONG WITH
CIVIL APPLICATION NO.2738 OF 2015
IN
WRIT PETITION NO.10135 OF 2014**

**Bastyav Liya Lope (since deceased)
through his heirs and legal representatives
Kaitan Bastyav Lopes and ors.**

: Applicants.

Versus

Francis Silu Tuscan and ors.

: Respondents.

Mr. Umashankar R Singh for the Petitioners/Applicants.

**CORAM : R. M. SAVANT, J.
DATE : 26th October 2015**

P.C.

1 The above Writ Petition is moved on an urgent basis as the Trial Court is not granting time to the Petitioners and wants to proceed with the suit in question.

2 Heard Shri Umashankar R Singh, the learned counsel appearing for the Petitioners.

3 Issue notice to the Respondents in the above Writ Petition, returnable on 07/12/2015. In addition to service of notice through Court, the advocate for the Petitioners shall serve a private notice by Registered Post A.D. and/or by Courier service and/or by hand delivery on the Respondents and shall file affidavit of service before the returnable date.

4 The parties are put to notice that in view of the narrow controversy involved, the above Writ Petition may be heard and disposed of finally at the stage of admission. In the meantime there would be ad-interim relief in terms of prayer clause (a) of the above Civil Application No.2738 of 2015.

[R.M.SAVANT, J]