

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

**CIVIL APPLICATION NO.2618 OF 2014
IN
WRIT PETITION NO113 OF 2014**

Shri Dhanaji Ganpat Yadav since deceased)
through
Son Shri Sanjay Dhanaji Yadav).. Applicant/
Org. Petitioner.
V/s

The State of Maharashtra)
through The Hon'ble Revenue Minister)
Mantralaya, Mumbai and ors.).. Respondents.

.....
Rahul Kadam, for applicant/petitioner.
Ms Aparna Vhatkar-AGP, for respondents No.1 to 3.
Prashant Darandale, for respondent No.5A.
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**CORAM : M.S. SONAK, J.
DATE : JANUARY 07, 2015**

P.C.

1. By this application, the applicant seeks to substitute himself as legal heir of the sole petitioner, who has since expired on 13 October, 2014.
2. The application has been made in time. The applicant relies upon the registered will dated 17 February, 2014, which prima facie suggest that deceased petitioner has bequeathed the

property, which is subject matter of this petition in favour of the applicant. However, will also suggest that in addition to the applicant, there are four other legal heirs.

3. In view of the aforesaid, the applicant is permitted to be substituted in place of the deceased petitioner. In addition, the applicant to implead four other legal heirs as 'Respondents' in this petition.
4. The necessary amendment be carried out within a week from today.
5. Accordingly, the Civil Application is disposed of.

(M.S. SONAK, J.)

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1. Upon amendment in terms of Civil Application No.2618 of 2014 being carried out, issue notice to the newly impleaded respondents, returnable on 10 February, 2015.
2. In addition to usual mode of service, the petitioner is permitted to effect private service upon the newly impleaded respondents and thereafter file Affidavit of service.

3. The Interim relief earlier granted, shall continue until 10 February, 2015.

(M.S. SONAK, J.)