

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CAW NOS. 3479/2014, 480/2015 & 1212/2015 IN
WRIT PETITION NO. 2723 OF 2005

(Dilip Sanpatrao Ambekar & Anr. vs. Murlidhar Swamy Devasthan Panch Committee & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's Orders.

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
P.N. DESHMUKH, JJ.
OCTOBER 21, 2015.**

Heard Shri Joshi, learned counsel for the petitioners and Shri Daga, learned counsel for respondent No. 7.

Civil Application No. 3479 of 2014 is filed by Respondent No. 7 for dismissal of writ petition on the ground that as Bank guarantee has not been furnished and renewed in consonance with directions of this Court, writ petition is automatically dismissed.

Civil Application No. 480 of 2015 is filed by the petitioners seeking leave to bring on record legal heirs of the deceased Respondent Nos. 2 & 3.

Civil Application No. 1212 of 2015 is filed on record to point out that one Sunil Bapurao Kalbande, proposed representative of original Respondent No. 3 has also expired and, therefore, his heirs should be permitted to be brought on record.

Notice on Civil Application Nos. 480 of 2015 and 1212 of 2015 are served upon the proposed respondents. They have chosen not to appear.

In this situation, as nobody is opposing these applications, we grant prayers as made therein. Accordingly, legal heirs of Respondent Nos. 2 & 3 are allowed to be brought on record. The necessary amendment be carried out within two weeks.

Insofar as Civil Application No. 3479 of 2014 is concerned, Shri Joshi, learned counsel for the petitioners makes a statement that appropriate Bank guarantee as per directions of this Court and valid up to 09.10.2016 is already submitted with the Registry of this Court. We accept that statement.

In view of that statement, we find that the grievance as made in Civil Application No. 3479 of 2014 does not survive. Accordingly that Civil Application is disposed of.

In view of this order, issue notice of Writ Petition No. 2723 of 2005 to newly added representatives of Respondent Nos. 2 & 3, returnable on 30.11.2015.

Place writ petition on board for final hearing on 30.11.2015.

JUDGE

JUDGE

*GS.