

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.974 OF 2016

IN

WRIT PETITION NO.357 OF 2005

Mr. Raghunath Nathu Thakur

(Since deceased through his legal heirs)

Mr. Dilip Raghunath Thakur and others

.. Applicants

Versus

Mr. Damodar Govind Thakur

(Since deceased through his legal heirs)

Smt. Kusum Damodar Thakur and others

.. Respondents

Mr. S. C. Wakankar i/by Mrs. Anjali N. Helekar, for the Applicants.

Mr. Pradip Kadam, for the Respondent No.1.

CORAM : R.M. SAVANT, J.

DATE : 22nd APRIL 2016

PC.

1. The above Civil Application as been filed for bringing the heirs of the Respondent No.1 on record who are shown as Respondent Nos.1(a) to 1(g). The death of the Respondent No.1 has occurred on 16.03.2015. The above Civil Application has been filed on 05.05.2015. The Civil Application is therefore in time. Hence, there is no impediment in allowing the same. The Civil Application is accordingly allowed. Resultantly, the heirs of the Respondent No.1 are allowed to be brought on

record. Amendment to be carried out within six weeks from date.

2. On amendment being carried out, issue notice in the Petition to the heirs of the Respondent No.1 i.e. Respondent Nos.1(a) to 1(g), returnable 4 weeks thereafter. 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.

[R.M. SAVANT, J]