

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

**CIVIL APPLICATION NO.1611 OF 2016**

IN

WRIT PETITION NO.4853 OF 2002

Shri Manohar Krishanaji Barve

since deceased, through his Heirs and

Legal Representatives viz.,

1. Smt. Manisha Manohar Barve And Others ... Applicants

Versus

Shri Mahadev Vishnu Joshi

since deceased, through his heirs and legal

representatives viz.,

1a. Shri Vinayak @ Jayant Mahadev Joshi

And Others ... Respondents

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Mr. D.B. Lonkar for the Applicants.

Ms. Pooja Singh i/b N.R. Bubna for Respondent No.1.

Mr. R.G. Lad i/b R.V. Govilkar for Respondent 1a to 1c.

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**CORAM : K.K. TATED, J.**

**DATE : 29 SEPTEMBER, 2016**

P.C. :

Heard learned Counsel for the parties.

2 Ms. Pooja Singh, learned Counsel submits that she received  
instructions to appear on behalf of Respondent No.1b.

3 Mr. Lad, learned Counsel submits that he received instructions to  
appear on behalf of Respondent Nos.1a and 1c.

4 This Civil Application is for bringing legal heirs on record of

deceased Respondent No.1 Mahadev Vishnu Joshi, who died on 27 February 2016.

5 Considering the submissions made by learned Counsel for the Applicants and averments made in the Civil Application and learned Counsel appearing on behalf of legal heirs have no objection, I am satisfied that the civil application is liable to be allowed. Hence, the following order.

**: O R D E R :**

- i) The delay in filing the Civil Application is condoned;
- ii) Abatement is set aside;
- iii) The Applicants are permitted to bring on record legal heirs of Respondent No.1 in Writ Petition No.4853 of 2002 within three weeks from today, failing which, the Civil Application shall stand dismissed without referring back to the Court;
- iv) If the amendment is carried out within stipulated time as above, the Applicants are directed to serve the amended copy of the Writ Petition on added Respondents or their Advocate immediately thereafter;
- v) Civil Application stands disposed of accordingly.

**(K.K. TATED, J.)**