

FARAD CONTINUATION SHEET  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1725 OF 2016  
IN  
WRIT PETITION NO.4864 OF 2003

|                                                                                                           |                           |
|-----------------------------------------------------------------------------------------------------------|---------------------------|
| Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders | Court's or Judge's orders |
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Mr.Suneel D. Mogre for the applicant

Mr.Tejas Dande i/b M/s.Tejas Dande and Associates  
for the petitioner

**CORAM : K. K. TATED, J.**  
**DATE : AUGUST 12, 2016**

**P.C.:**

- 1 Heard the learned counsel for the parties.
- 2 Advocate Mr.Tejas Dande submits that he received instruction from legal heirs of petitioner to appear in the present matter.
- 3 He seeks some time to take instruction from the legal heirs.
- 4 On the other hand, the learned counsel for the applicant submits that petitioner Narhad Rango Kulkarni expired on 3.10.2012. To that effect, he has placed on record photo copy of death certificate issued by Pune Municipal Corporation. He submits that for last 4 years legal heirs of deceased petitioner has not taken any steps in the

present matter. Hence, Writ Petition stands abated. Therefore, applicant preferred the present Civil Application.

5 Heard both the sides at length.

6 There is no dispute that petitioner expired on 3.10.2012. His legal heirs are not brought on record for last more than 4 years. Considering these facts, Civil Application is allowed in terms of prayer clause (a) which reads thus:

“(a) That this Hon'ble Court be pleased to dismiss the Petition as abated, in view of the Death of the Petitioner, as per Exhibit-A hereto.”

7 Civil application stands disposed off accordingly.

JUDGE