

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

CIVIL APPLICATION NO.3026 OF 2015

IN

WRIT PETITION NO. 2215 OF 2000

Gajanan Shankar Panshikar

.. Applicant/Petitioner

Versus

Janardhan Govind Panshikar

(Since deceased through his legal heirs)

Lilavati Janardhan Panshikar and others

.. Respondents

Mr. A. P. Bagwe, for the Applicant/Petitioner.

Mr. S. G. Karandikar, for the Respondent Nos.1 & 2.

CORAM : R.M. SAVANT, J.

DATE : 11th APRIL 2016

PC.

1. The above Civil Application has been filed for bringing the heirs of the Respondent No.1 on record and for condonation of delay. The Learned Counsel appearing for the original Respondent Nos.1 and 2 submits to the orders of the Court. The Learned Counsel for the Petitioner has filed affidavit of service, wherein the packet containing the notice issued to the Respondent No.1D bears the remark 'unclaimed'. Hence, the same would have to be construed as good service, as the other Respondents have been served. 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 two weeks from date.

2. On amendment being carried out, issue notice in the Writ Petition to the heirs of the Respondent No.1, returnable on 20.06.2016. In addition to service of notice through Court, the advocate for the Petitioner 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. The Civil Application is accordingly disposed of.

[R.M. SAVANT, J]