

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

CIVIL APPLICATION NO.848 OF 2016

IN

WRIT PETITION NO.239 OF 2013

Sou. Daulatbanu Saddruddin Somaji and others .. Applicants

IN THE MATTER BETWEEN

India Marina and Foods Private Ltd. .. Petitioner

Versus

Shri. Kisan Bhausahab Shinde and others .. Respondents

Mr. Vijay Killedar, for the Applicants.

Ms. Saloni Ghule i/by Mr. S. A. Sawant, for the Respondent Nos.1 to 6.

Mrs. M. S. Bane, "B" Panel Counsel for the Respondent Nos. 7 & 8.

CORAM : R.M. SAVANT, J.

DATE : 31st MARCH 2016

PC.

1. The above Civil Application has been filed to bring the heirs of one Saddruddin Mohammed Somji and Tajuddin Mohammed Somji as Petitioners in place of Tajuddin Mohammed Somji who has expired. Saddruddin Mohammed Somji and Tajuddin Mohammed Somji were brothers who were concerned with the Petitioner company India Marina and Foods Private Ltd.. In the proceedings before the State Government

i.e. Hon'ble Minister for Revenue the above Applicants were parties. However, the above Petition was filed in the name of the company through Tajuddin Mohammed Somji. Since both Saddruddin Mohammed Somji and Tajuddin Mohammed Somji have expired, the above Civil Application has been filed to bring their heirs on record. The Applicant No.1 is the wife of Saddruddin Mohammed Somji, the Applicant No.2 is the married grand daughter of Saddruddin Mohammed Somji and Applicant No.3 is the son-in-law of Tajuddin Mohammed Somji. The Learned Counsel appearing for the Respondent Nos.1 to 6 submits to the orders of the Court. The above Petition is pending hearing and final disposal. In my view, it would be just and proper to allow the Civil Application, which is accordingly allowed. The Applicants to be arrayed as Petitioners in place of Tajuddin Mohammed Somji and to be shown in the cause title after the name of the company. Amendment to be carried out within four weeks from date. The Civil Application is accordingly disposed of.

[R.M. SAVANT, J]