

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

CIVIL APPLICATION NO.264 OF 2016

IN

WRIT PETITION NO.1978 OF 1998

WITH

CIVIL APPLICATION NO.265 OF 2016

IN

WRIT PETITION NO.1982 OF 1998

Shri. Jaywant Rangrao Pethkar

.. Applicant

IN THE MATTER BETWEEN

Rangrao Mahadu Pethkar

(Deceased through Applicant abovenamed)

.. Petitioner

Versus

Sadashiv Maruti Vibhute

(Since deceased through heirs and LRs)

Shri. Shivaji Sadashiv Vibhute and others

.. Respondents

Mr. Govind Solanke i/by Mr. Pratap Patil, for the Applicants in both Civil Applications.

Mr. Shailesh Chavan i/by Mr. Milind Deshmukh, for the Respondent Nos.1 to 3.

CORAM : R.M. SAVANT, J.

DATE : 7th MARCH 2016

P.C.

1. The above Civil Applications have been filed to bring the Applicant on record as the heir of the original Petitioner in both the

Petitions. The Applicant also seeks condonation of delay in filing the Applications. The reasons for the delay are mentioned in the Civil Applications. The Learned Counsel appearing on behalf of the Respondent Nos.1 to 3 states that the Petitioner has also other heirs whose names have not been mentioned in the Civil Applications, but the Learned Counsel is not in a position as to how many other heirs are there of the original Petitioner. Having regard to the fact that the estate of the Petitioner is required to be represented, the above Civil Applications are allowed. Resultantly, the Applicant is allowed to be brought on record as the heir of the Petitioner in both the above Petitions. The Civil Applications are accordingly disposed of. Amendment to be carried out within two weeks from date. List the Petitions for final hearing in the week commencing 11.04.2016.

[R.M. SAVANT, J]