

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.2412 OF 1993

[Anil s/o Mahadeo Nagulkar and others .vs. Nagpur Improvement Trust, Nagpur and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.D. Deshpande, counsel for the petitioners,
Ms. R.V. Kaliya, AGP for respondent no.2.

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CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATED : JULY 29, 2016.

CIVIL APPLICATION [W] NO.1569 OF 2016

We permit the petitioners to serve the respondent no.4 Sunil s/o Gajanan Akhre, through his wife Rekha, as she is appointed as caretaker, since the respondent no.4 is of unsound mind.

The petitioners should additionally join Rekha w/o Sunil Akhre, as respondent no.4-A, to represent the respondent no.4. The civil application is allowed in the aforesaid terms and disposed of.

Issue notice to Rekha w/o Sunil Akhre in regard to the hearing of the writ petition.

CIVIL APPLICATION NOS.1573, 1574 AND 1575 OF 2015

Heard. Perused the contents of the applications.

For the reasons stated in civil applications, the delay in filing the applications for bringing the legal heirs of the deceased respondent on record is condoned and the abatement, if any, is set aside. The petitioners are permitted to bring the legal heirs of the deceased respondent on record, as the cause of action would still survive, despite the death of the respondent.

All the three applications are allowed and disposed of. The amendment should be carried out within two weeks. After the amendment is carried out, issue notice to the legal heirs of the deceased respondent for hearing of the writ petition on merits.

JUDGE

JUDGE

Gulande, PA

C E R T I F I C A T E

“I certify that this order uploaded is a true and correct copy of original signed order.”

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