

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

CIVIL APPLICATION NO. 1724 OF 2016

IN

WRIT PETITION NO. 1775 OF 2002

Dinshaw Sorabji Gae (Deceased) ...Applicants
By LRS

Versus

Dinshaw Mehta and Ors ...Respondents

Ms. Anita Gavkar I/b. Babita P. Pandey for the Applicants.
None for the Respondents.

CORAM: G.S. KULKARNI, J.
DATED: 28th July, 2017

PC:-

1. Heard learned counsel for the applicants. By this application, the applicants pray that they be permitted to carry out amendment/addition to the names of the respondents in pursuance of elections held by the Bombay Parsi Panchayet in the month of April and October of the year 2016. By an order dated 01/08/2016 (D.H. Waghela, CJ.) notices came to be issued to the respondents making them returnable on 13/09/2016, as also applicants were permitted to serve respondents additionally by

Registered Post A.D./Courier and file affidavit of service in that behalf.

2. Accordingly, the applicants have filed affidavit of service stating that all the respondents are served.

3. Perused the averments as made in the application, though the respondents are served, there is no opposition to this application by any of the respondents. In the circumstances, and considering the nature of the relief as prayed for, it is in the interest of justice that the civil application be allowed, it is accordingly allowed in terms of prayer clause (ii) which reads thus:-

“(ii) This Hon'ble Court may allow applicant to carry out changes and amendment in names of the Respondents as per elections held in Bombay Parsi Panchayet in the month of April and October of the year 2016 in the main above stated Writ Petition.”

4. Necessary amendment to be carried out to the petition within a period of two weeks from today. Amended copy be served upon all the respondents. Office is directed to list the writ petition for final hearing as per its turn.

(G.S. Kulkarni, J.)