

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 35 OF 2015
IN
WRIT PETITION NO. 2376 OF 1999**

Charan Singh Puran Singh ..Vs.. State of Maharashtra & Ors.

Office Notes, Office Memorandum of appearances, Court's orders or directions & Registrar's orders.	Court's or Judge's orders
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Mr. Suresh Dubey for Applicant.
Mrs. V. S. Nimbalkar, AGP for Respondent
Nos. 1 to 4.

**CORAM : K. K. TATED, J.
DATE : JULY 18, 2017.**

P.C. :

. Heard learned Counsel Mr. Dubey for Applicant and learned AGP Mrs. Nimbalkar for Respondent Nos. 1 to 4.

2. The learned Counsel for Applicant submit that Respondent No.5 is already served by private notice. He undertakes to file Affidavit of Service within one week from today. Same is accepted.

3. This application is for bringing legal heirs of Sole-Petitioner on record, who died on 15th July, 2013.

4. Considering the submission made by learned Counsel for Applicant and averments made in Civil Application, I am satisfied that Applicant has made out the case for allowing Civil Application. Hence, the following order.

ORDER

- (a) Abatement is set aside.
- (b) Delay in filing present Civil Application is condoned.
- (c) Applicant is permitted to bring on record the legal heirs of deceased Sole-Petitioner in Writ Petition No. 2376 of 1999 within three weeks from today, failing which, Civil Application shall stand dismissed without reference back to the Court.
- (d) If amendment is carried out within stipulated time as stated above, Applicant is directed to serve the amended copy of Writ Petition No. 2376 of 1999 on Respondents immediately thereafter.
- (e) Civil Application stand disposed of accordingly.

(K.K.TATED, J.)