

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1860 OF 2017
IN
WRIT PETITION NO. 3116 OF 1999

Trilochan Singh Sahney and ors. .. Applicants

vs.

Harjit Singh (since deceased through
his heirs and LRs Mrs. Jagmohan Kohli
and ors.) .. Respondents

Ms Asha M. Bhambwani for the Applicants.
Mr. Amit Nikam i/b M/s. Kamat & Co. for Respondent Nos.1 to 4.

CORAM : M. S. SONAK, J.
DATE : 23 AUGUST 2017.

P.C. :-

- 1] Not on board. In view of urgency, taken on production board.
- 2] Heard learned counsel for the parties.
- 3] For the reasons set out in the civil application, the order dated 8th November 2006 dismissing the petition as against respondent No.5 for failure to clear objections is recalled and the writ petition is restored as against respondent No.5. This shall, however, be subject to the applicants paying cost of Rs.10,000/- in favour of Kirtikar Law Library within a period of four weeks from today. Necessary receipt

of payment to be filed in the Registry.

4] Further, leave is granted to serve respondent No.5 by way of substituted service. The publication shall be in Free Press Journal and Navshakti Newspapers. The returnable date shall be 28th September 2017.

5] The petitioner to file affidavit of service alongwith copies of paper publication.

6] The Civil Application is disposed of.

(M. S. SONAK, J.)