

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1607 OF 2017
IN
CIVIL APPLICATION (ST.) NO.23047 OF 2010
IN
WRIT PETITION NO.6220 OF 2004

Santosh @ Balu Dattatray Bhosale Applicants
& Ors.

Vs.

Jagdish Gopinath Malushte & Ors. Respondents

Mr. R.D. Suryawanshi, Advocate for the Applicants.
Mr. Kunal Bhangе, Advocate for the Respondents.

CORAM : G.S. KULKARNI, J.
DATE : 13 JULY, 2017

P.C. :

1 This application has been filed by the applicants/ petitioners praying that the order dated 9th February, 2011 passed by the Registrar (Judicial-I) in Civil Application (Stamp) No. 23407 of 2010 be set aside and the civil application be restored to the file of the court. Civil Application (Stamp) No. 23047 of 2010 was filed to bring on record the legal heirs of original petitioner Nos. 4,6 and 7, who died on 16.9.2008, 3.9.2005 and 22.10.2004 respectively.

2 Having heard the learned advocates for the parties and in the interest of justice, the civil application deserves to be allowed. It is accordingly allowed in terms of prayer clauses (b) and (c).

(G.S. KULKARNI, J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1608 OF 2017
IN
WRIT PETITION NO.6220 OF 2004

Santosh @ Balu Dattatray Bhosale Applicants
& Ors.

Vs.

Jagdish Gopinath Malushte Respondent

Mr. R.D. Suryawanshi, Advocate for the Applicants.
Mr. Kunal Bhange, Advocate for the Respondent.

CORAM : G.S. KULKARNI, J.
DATE : 13 JULY, 2017

P.C. :

1 Not on board. Taken on board.

2 By this application, the applicants/petitioners have prayed to permit them to bring legal heirs of original petitioner no. 3-Mohan Dattatray Bhosale on record.

3 Having heard the learned advocates for the parties and the averments made in the application, in the interest of justice, the civil application deserves to be allowed. It is accordingly

allowed in terms of prayer clauses (b) and (c). The applicants/petitioners are directed to carry out necessary amendments within two weeks from today and serve amended copy on the respondent. No costs.

(G.S. KULKARNI, J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION (ST.) NO.23047 OF 2017
IN
WRIT PETITION NO.6220 OF 2004

Santosh @ Balu Dattatray Bhosale Applicants
& Ors.

Vs.

Jagdish Gopinath Malushte Respondent

Mr. R.D. Suryawanshi, Advocate for the Applicants.
Mr. Kunal Bhange, Advocate for the Respondent.

CORAM : G.S. KULKARNI, J.
DATE : 13 JULY, 2017

P.C. :

- 1 Not on board. Taken on board.
- 2 Heard the learned counsel for the parties.
- 3 For the reasons stated in the civil application, it deserves to be allowed in as much as the applicants/petitioners seek to bring the legal heirs of original petitioner Nos.4, 6 and 7 on record who expired on 16.9.2008, 3.9.2005 and 22.10.2004 respectively.

4 The applicants/petitioners are directed to carry out the amendments within a period of two weeks from today and serve amended copy of the petition on the respondent. The Civil Application is accordingly allowed in the above terms. No costs.

(G.S. KULKARNI, J.)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6220 OF 2004**

Santosh @ Balu Dattatray Bhosale Petitioners
& Ors.

Vs.

Jagdish Gopinath Malushte Respondent

Mr. R.D. Suryawanshi, Advocate for the Petitioners
Mr. Kunal Bhange, Advocate for the Respondent.

**CORAM : G.S. KULKARNI, J.
DATE : 13 JULY, 2017**

P.C. :

1 As it has been pointed out by the learned counsel for the respondent that the respondent is a senior citizen, an early hearing of the petition be considered. List the petition under the caption of “expedited matters to senior citizen” in the week commencing from 24th July, 2017.

(G.S. KULKARNI, J.)