

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1699 OF 2018
WITH
CIVIL APPLICATION NO. 1767 OF 2018
AND
CIVIL APPLICATION NO. 1768 OF 2018

MATHURABAI KONDU PATIL DIED LRS
VERSUS
RAMABAI KESHAV WANI AND OTHERS

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Advocate for Petitioners : Shri Kulkarni S.D. h/f Shri Patil V. Y.
Advocate for Respondents 1 to 3, 4 TO 4A : Shri Bhokarikar M.M.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: February 12, 2018

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PER COURT :-

1. Learned counsel appearing for the respondents in the Writ Petition points out that respondent No.4 - Kalawati has passed away.

2. By Civil Application No.1768 of 2018, the petitioner desires to bring on record the L.Rs. of Kalawati. Shri Bhokarikar, learned Advocate submits on instructions from respondent No.4-B Uday, who is present in the Court that this Civil Application can be disposed off as he can cause his appearance on behalf of the L.Rs. subject to costs, which can be donated to the Advocate Association's Bar Library of Bombay High Court, Bench at Aurangabad.

3. Considering the reasons cited in the application and the statement made by Shri Bhokarikar on instructions, Civil Application 1768 of 2018 is allowed. Delay is condoned subject to costs of Rs.6000/-, which the Writ Petitioners shall deposit with the Advocate Association's Bar Library of Bombay High Court, Bench at Aurangabad on/or before 28.2.2018. L.Rs. to be brought on record forthwith.

4. In so far as Civil Application No.1767 of 2018 is concerned, the petitioner desires to bring on record certain documents from page Nos.6 to 57 of the Civil Application paper book. Since the petition is at a pre-notice stage, the said application is allowed with the direction that the said documents from page Nos.6 to 57 shall be brought on record in the Writ Petition on/or before 28.2.2018, subject to placing typed copies of the handwritten documents on record.

5. At the request of the respondents, S.O. to 1.3.2018. Until then, none of the litigating sides would alienate or create third party interest or create any charge on the property at issue.

6. At this stage, learned Advocate for the respondents submits that the record and proceedings pertaining to the matter mentioned

in prayer clause (B), which is disposed off on 11.1.2018 need to be called for. Learned counsel for the petitioner has no objection. As such, call for R & P from the Maharashtra Revenue Tribunal, Aurangabad in Case No.35/B/2007/Jalgaon decided on 11.1.2018.

7. Learned counsel for the petitioner seeks leave to amend the prayer clause. Leave granted, subject to the condition that the amended copy of the paper book be served on Shri Bhokarikar.

(RAVINDRA V. GHUGE, J.)

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akl/d