

**IN THE HIGH COURT OF BOMBAY AT GOA**

MISC.CIVIL APPLICATION NO. 480 OF 2018

IN

WRIT PETITION NO. 902 OF 2017

MALAGA REALTORS PVT. LTD., THR.  
ITS DIRECTOR, SYDNEY ALOYSIUS  
D'SOUZA.,

... Applicant

Versus

VILAS PUNDALIK MALIK AND 54 ORS.,

... Respondents

Shri R. G. Ramani, Advocate for the applicant.

Shri D. Gaonkar, Advocate for the respondent nos.1 to 3.

Ms. A. Fernandes, Advocate for the respondent nos.5, 6, 7, 8, 10,  
12, 13, 14, 16, 18, 20 to 22.

Ms. V. Shet, Advocate for the respondent no.55.

Coram:- C. V. BHADANG, J.

Date:- 4th October 2018

P.C.

This is an application for recording the death of the respondent no.11 (plaintiff no.11) and for bringing the LRs of the respondent no.15 (plaintiff no.15) on record. The proposed LRs of the respondent no.15, as mentioned in para 8 of the application, have been served. However, none appears for them. In so far as the respondent no.11 is concerned, it is contended that the respondent no.11 was already dead when the order was passed and, therefore, according to the learned Counsel for the applicant, it is not necessary to bring the LRs of the respondent no.11 on record. The learned Counsel for the applicant only

requested for his death being recorded.

2. On hearing the learned Counsel for the parties, the application is allowed. In so far as the respondent no.11 is concerned, he shall be shown on the record as deceased. Delay in bringing the LRs of the respondent no.15 is hereby condoned. The applicant is permitted to bring the LRs of the respondent no.15 on record. Necessary amendment to be carried out within two weeks.

3. The application is disposed of.

C. V. BHADANG, J.

SMA