

DDR

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2217 OF 2018
IN
WRIT PETITION NO. 2456 OF 2012

Rajhans R. Vatkari (since deceased)
through LRs. & ors. ...Applicants

IN THE MATTER BETWEEN

Kempawwa Rajhans Vhatkar & anr. ...Petitioners

vs.

Suresh Rajaram Pol & anr. ...Respondents

...

Mr. S.S. Redekar for the applicants.

Mr. Bhushan Walimbe for respondent Nos. 1 & 2.

...

CORAM : M.S.KARNIK, J.

DATE : 13th DECEMBER, 2018.

P.C. :

Heard learned Counsel for the applicants.

2. This is an application for bringing the legal heirs of the petitioner on record. Learned Counsel for the respondent Nos. 1 and 2 who are claiming to be the tenants have an objection to the petitioner's bringing legal heirs on record.

3. Learned Counsel for the legal representatives pointed out that initially objection was raised by the respondent Nos. 1 and 2 that in an earlier application for bringing the legal heirs on record the petitioner had applied for bringing the legal heirs from the wife's side on record. The earlier application thus came to be withdrawn by the petitioner. Now, the applicants have filed this application for bringing the legal heirs from the husband's side to which respondent Nos. 1 and 2 cannot have any grievance.

4. For the reasons mentioned in the application, the application deserves to be allowed in terms of prayer clauses (a) and (b).

5. Amendment to be carried out within a period of four weeks from today.

(M.S.KARNIK, J.)