

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 2812 OF 2016
IN
WRIT PETITION No.5603 OF 2016**

Shrimati. Anusaya Madhukar Gaikwad & Anr. ...Applicants

IN THE MATTER BETWEEN

Shrimati. Anusaya Madhukar Gaikwad & Anr. ...Petitioners

Versus

Shrimati. Sulochana Balwant Gaikwad & Ors. ...Respondents

.....

Mr. Sandeep S.Koregave for the Applicants.
Mr.Prashant Bhavake for Respondent Nos. 1 and 2.

.....

**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: JUNE 14, 2018**

P.C. :

1. This Civil Application is taken out for bringing on record the legal heirs of respondent No.12.

2. The learned Counsel for the applicants submits that respondent No.12 expired on 16th February, 2016. He further submits that there is a delay of 130 days in filing this Civil Application. Hence, he prays that the delay be condoned and the

legal heirs of respondent No.12 be brought on record.

3. For the reasons mentioned in the Civil Application, delay is condoned. The legal heirs of respondent No.12 are to be brought on record. Amendment is to be carried out within a period of two weeks.

4. Civil Application is allowed and is accordingly disposed of.

5. The learned Counsel for respondent nos. 1 and 2 submits that respondent nos. 1 and 2 are the original plaintiffs in the suit and their application for appointment of the Court Commissioner was allowed. The said order was challenged in the Writ Petition.

6. In view of the above, no notice is required to respondent nos. 12A to 12E, as they are the formal parties.

7. Hence, stand over to 14th August, 2018. Ad-interim relief, if any, to continue till then.

(MRIDULA BHATKAR, J.)