

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.

CIVIL APPLICATION (CAW) NO.2055 OF 2018

IN

WRIT PETITION NO.7881 OF 2017

(M/s. Lacey Trading Co.Pvt.Ltd., Nagpur and another ..vs.. Shri Sukhmandas s/o Ganpatdas Puneekar)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.S. Dewani, Counsel for the petitioners,
Shri R.M. Sharma, Counsel for the respondent.

CORAM : ROHIT B. DEO, J.

DATED : 29-08-2018

This application seeks to bring on record legal representatives of the deceased sole respondent on record.

2. It is not in dispute that the persons named in the application are the natural legal heirs of the sole respondent.

3. Shri Sharma, learned Counsel appears on behalf of Shri Chandrashekhar Puneekar, Shri Dilip Puneekar and Smt. Sarswatibai Puneekar and waives service. However, Shri Sharma is objecting to grant of permission to bring on record the other persons named. Shri Sharma would submit that they do not have any interest or title or share in the suit property in view of partition and subsequent will. These contentions are kept expressly open.

4. Civil Application is allowed.

Writ Petition 7881/2017.

The petitioners shall carry out suitable amendment within a week. The petitioners shall ensure that the other legal heirs, who are not represented by Shri Sharma, are served within two weeks.

2. If the petitioners do not serve the legal heirs of the respondent within two weeks, this Court may consider dismissal of the petition as against the unserved respondents.

3. The petitioners shall, in addition to regular mode of service, are at liberty to serve the legal heirs by WhatsApp, Email or any other mode of communication.

4. List the petition on 21-9-2018.

JUDGE

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by Prafulla
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Date: 2018.08.29
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