

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO.2163 OF 2019
IN
CONTEMPT PETITION NO.305 OF 2017
IN
WRIT PETITION NO.9552 OF 2015**

Balajirao Vitthalrao Jadhav, died
through L.Rs.

Ganesh Balajirao Jadhav & anr.

..APPLICANTS

VERSUS

Kashinath Patil

..RESPONDENT

Mr F. R. Tandale, Advocate for applicants

**CORAM : PRASANNA B. VARALE
AND
AVINASH G. GHAROTE, JJ.**

DATE : 21st September, 2019

ORAL ORDER:

Heard learned Counsel appearing on behalf of the applicants.

2. Learned Counsel for the applicants submitted that though in the application, the prayer is made to the effect of seeking amendment in paragraph 10 of the present application, inadvertently the other prayers which ought to have been incorporated in the application, namely, seeking permission to bring legal heirs on record, on the backdrop of the fact that the petitioner is expired during the pendency of the

(2)

contempt petition as well as the prayer to add respondent - officer, who is occupying position subsequent filing of the petition, as a party respondent, is not made and as such, the applicants be permitted to amend the petition by adding paragraph as well as necessary prayers.

3. In view of aforesaid oral submission of learned Counsel for the applicants, the oral prayer is allowed. The application is allowed and disposed of. Necessary amendment be carried out within a period of two weeks from today.

4. In case, the amendment is carried out within a period of two weeks, issue notice to added respondent No.2, making the same returnable on 11th November, 2019.

5. Needless to state that the applicants to supply the copy of amended application/petition to learned Counsel/ Asstt. Govt. Pleader appearing for respective respondents.

(AVINASH G. GHAROTE, J.)

(PRASANNA B. VARALE, J.)

sjk