

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

CIVIL APPLICATION NO.6482 OF 2019

IN

WRIT PETITION NO.5876 OF 2019

PRADIP BHAULAL PATIL

VERSUS

TARACHAND VEDU KOLI (DECEASED) THROUGH L.RS. AND OTHERS

WITH

WRIT PETITION NO.5876 OF 2019

**TARACHAND VEDUE KOLI THROUGH LRS KUSUMBAI SAHEBRAO KOLI
AND OTHERS**

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for the Applicant : Shri Chetan T. Jadhav
Advocate for the Petitioners : Shri Patil Paresh B.
AGP for Respondents 7, 8 and 9 : Shri S.R.Yadav
Advocate for Respondents 10 and 11 : Shri A.K.Tiwari

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 13th June, 2019

Per Court:

1 The applicant is one of the legal heirs of the deceased respondent no.4 (Bhaulal Gangaram Patil).

2 By this Civil Application, it is brought to the notice of the court that though the legal heirs were brought on record in the proceedings before the lower court, the petitioners have not impleaded these legal heirs in the writ petition.

3 The learned advocate for the petitioners submits that it was an error on their part in not arraying the legal heirs of the deceased respondent no.4 in this writ petition. He concedes that these legal heirs have been brought on record in the proceedings before the lower court. He consents for allowing this Civil Application though there is a delay of about 9 years on account of the conduct of the petitioners.

4 The applicant also prays for vacating the ex-parte ad-interim relief granted in vacation.

5 Considering the above, this Civil Application is allowed only to the extent of allowing the petitioners to bring the legal heirs of the deceased respondent no.4 on record, on or before 25.06.2019. Shri Jadhav, learned advocate, causes an appearance on behalf of all the legal heirs in the writ petition.

6 It be noted that the request of the applicant that the ex-parte ad-interim order be vacated, would be considered while hearing the writ petition for admission.

7 List the writ petition for admission on 05.07.2019 in the urgent admissions category.

8 The ad-interim protection granted earlier by this Court would continue till the next date.