

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

CIVIL APPLICATION NO.14258 OF 2017
IN WP/2217/1999
WITH
CIVIL APPLICATION NO.14262 OF 2017
IN WP/2217/1999

RAGHUNATH BHAGUJI THITME HIS LRS. RAOSAHEB RAGHUNATH
THITME AND OTHERS
VERSUS
NAMDEO KARBHARI THITME AND OTHERS

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Advocate for the Applicants : Shri A.S.Patil Barhate h/f Shri
S.P.Chapalgaonkar

Advocate for respondent nos.1 to 5 : Shri S.T.Shelke
AGP for the Respondents/ State : Shri S.W.Munde

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 13th September, 2019

Per Court:

1 By the first Civil Application No.14258/2017, the applicants sought time to carryout addition of parties and to bring the legal heirs of the sole petitioner on record. This civil application was filed in August, 2017 and not circulated for two years.

2 Shri Shelke, learned advocate submits that this civil application deserves to be rejected and the writ petition deserves to be abated. In the alternative, he submits that if this court considers the civil application, at least Rs.25,000/- costs should be imposed and the amount

should be donated for the treatment of poor patients or for a public cause.

3 Considering the above and since the petition has been admitted in 1999, Civil Application No.14258/2017 is allowed subject to the applicants depositing an amount of Rs.5000/- (Rupees Five Thousand) in this Court on or before 30.09.2019. So also, the applicants shall also carryout addition of parties and bring the legal heirs of the deceased sole petitioner on record on or before 30.09.2019. On failure to comply with any of the above directions, the writ petition shall stand abated without reference to the court on 01.10.2019.

4 After the amount of Rs.5000/- is deposited, the Registry of this Court shall transfer the said amount to the orphanage home **“Shantivan”, Arvi, Tq.Shirur Kasar, District Beed** i.e. in the name of **“Bhavani Vidhyarthi Kalyan Pratishthan, Arvi”** by way of electronic transfer (State Bank of India, Branch Shirur (Kasar), Account No.33446000963, IFSC Code : SBIN0005995) and shall report compliance.

5 Considering the above and subject to the compliance of the above directions, the second Civil Application No.14262/2017 is disposed off. Writ Petition No.2217/1999 shall be listed for final hearing on 17.10.2019.