

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

**CIVIL APPLICATION NO.2736 OF 2017
IN
WRIT PETITION NO.9256 OF 2013**

Anandrao Rau Patil

.. Applicant

V/s.

Sajjakka Anandrao Patil
since deceased by lrs.

Dilipkumar Anandrao Patil and Ors.

.. Respondents

Mr.V.B.Rajure for the applicant
None for the respondents

**CORAM: K.K. TATED, J
DATED : MARCH 1, 2019**

P.C. :

1 Heard.

2 By this Civil Application, Applicant is seeking permission to bring legal heirs on record of deceased Respondent no.1 Sajjakka Anandrao Patil who died on 23.06.2017.

3 The learned counsel for the Applicant submits that legal heirs of deceased Respondent no.1 is already on record as Respondent no.2. He submits that Applicant may be permitted to delete name of Respondent no.1 and permit them to treat Respondent no.2 as legal heirs of deceased Respondent no.1.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

- a) Delay in filing Civil Application is condoned.
- b) Applicant is permitted to delete the name of Respondent no.1 from the cause title in Writ Petition 9256 of 2013.
- c) Applicant is permitted to treat Respondent no.2 as legal heirs of Respondent no.1 and carry out appropriate amendment in cause title of Writ Petition No.9256 of 2013 on or before 30.03.2019, failing which the Civil Application shall stand dismissed without further reference to the court.
- d) If amendment is carried out within stipulated time as stated hereinabove, Applicant is directed to serve amended copy of Writ Petition immediately on Respondents thereafter and file affidavit of service to that effect on or before 30.04.2019.
- e) Civil application stands disposed off accordingly.

(K.K. TATED, J.)