

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1014 OF 2016

IN

WRIT PETITION NO. 6162 OF 2013

Shri. Ramchandra Vishnu Bhujbal & Ors. ... Applicants
V/s.
Mr. Sahadu Vishnu Bhujbal & Ors. ... Respondents

...

Mr.Prasad B. Kulkarni, for the Applicants.

Ms.Sairuchita Choudhary i/b. J. Shekhar & Co., for the
Respondent No.1.

...

CORAM: K.K. TATED, J

DATED : 17 JANUARY 2019

P.C. :

1 Heard learned Counsel for the parties.

2 By this Civil Application, applicants seek permission to bring the legal heirs on record of Petitioner No.4 Smt.Sarubai Yadav Bhujbal, who died on 01.04.2015.

3 The learned Counsel for the applicants submits that the legal heirs of deceased Petitioner No.4 are already on record as the Petitioner Nos.5 and 6. He submits that the applicants may be permitted to treat the Petitioner Nos.5 and 6 as legal heirs of Petitioner No.4 also. He submits that the delay in filing the Civil Application is for want of knowledge.

He submits that in the interest of justice, this Honourable Court be pleased to allow the present Civil Application. He submits that if delay is not condoned, irreparable loss will cause to them.

4 On the other hand, learned Counsel Ms.Choudhary for the respondent No.1 submits that they do not have any objection, if the Civil Application is allowed.

5 Hence, the following Order :

ORDER

- (i) The delay in preferring the Civil Application is condoned.
- (ii) Applicants are permitted to bring the legal heirs of deceased Petitioner No.4 on record of Writ Petition No.6162 of 2013.
- (iii) Applicants are permitted to treat the Petitioner Nos.5 and 6 as also the legal heirs of deceased Petitioner No.4.
- (iv) Applicants to carry out appropriate amendment on or before 28.02.2019 failing which Civil Application shall deemed to be rejected without reference to the Court.
- (v) If amendment is carried out within stipulated time, applicants are permitted to serve amended copy of

Writ Petition on other side on or before 30.03.2019
and file service affidavit.

(vi) Application stands disposed of accordingly.

(K.K. TATED, J.)