

Tandle

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1797 OF 2017
IN
WRIT PETITION NO. 6351 OF 2000

Flex Fernandes (Since decd.)

Through LRS.

1(a) Ms. Monica Rodrigues and Ors.

... Applicants.

Versus

Subhash Ramnath Rele and Ors.

... Respondents.

.....

Smt. Jeenal Upadhyay i/b Mr. Rajesh Patil for the Applicants.

.....

CORAM : A. S. GADKARI, J.

DATE : 14th NOVEMBER, 2019

P.C. :

1. This is an application for bringing the legal heirs of respondent No.5 on record in Writ Petition No.6351 of 2000. It is stated that, the respondent No.5 i.e. Smt. Ratnaprabha Shanti Kumar passed away on 08th October 2004. There is a delay of 12 years and 199 days in filing the present Civil Application.

2. Learned counsel for the applicants submitted that, in connected Writ Petition No. 6361 of 2000 between the same parties, this Court by its Order dated 5th September 2019 was pleased to condone the said delay and allow the application for bringing the legal heirs of respondent No.5 on record.

3. Perusal of the application and other record would indicate that, sufficient cause is made out for condonation of aforesaid delay and for allowing the application.

In view thereof, delay is condoned, abatement against respondent No.5 is set aside and the application is allowed in terms of prayer clauses (a) and (b).

4. Necessary amendment be carried out within a period of two weeks from today in the record of the Court and simultaneously in the copy of the petition which is already served upon the learned Advocate for the respondents.

5. Application is allowed in the aforesaid terms.

(A. S. GADKARI, J.)