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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1835 OF 2019
IN
WRIT PETITION (ST) NO.8972 OF 2019

The Commissioner of Police ..Applicant.
V/s.
Kantilal Narandas Thakkar & Ors. ..Respondents.

Mr.A.B.Kadam, AGP for the applicant.

Mr.R.P.Kadam, AGP for respondent Nos. 3 & 4.

CORAM : NITIN W.SAMBRE, J.

DATE : AUGUST 5, 2019

P.C. :-

Respondent No.1 is informed to have expired on January 28, 2017.

2. Hence from the date of knowledge to the applicant, the application for bringing the legal heirs of respondent No.1 is moved and, therefore, the same is within limitation. The application is allowed. Appropriate amendment be carried out to the cause title of the petition by adding the legal heirs of respondent No.1 within a period of three weeks from today.
3. The civil application is allowed accordingly.
4. The submission is, outstanding dues which are

included in the order under section 101 of the Maharashtra Co-operative Societies Act, 1960 to the extent of Rs.79,971.75 was alleged to have been paid and respondent No.1 society has issued receipt dated April 3, 1998 which is placed on record at Exhibit-C. In spite of above, in the recovery certificate the said amount is directed to be paid with interest. In view thereof, issue notice for final disposal of the petition, returnable on October 3, 2019.

5. Mr.R.P.Kadam, learned AGP waives service on behalf of respondent Nos.3 & 4.

(NITIN W.SAMBRE, J.)