

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2129 OF 2019
IN
WRIT PETITION NO.11279 OF 2017

Mr. Mohammed Sherif (Alimia) Bhure & Anr.Applicants

In the matter between

Mr. Mohammed Sherif (Alimia) Bhure

(Since Deceased through his legal heirs) & Ors.Petitioners

Versus

Mr. Harishchandra Lahu PatilRespondent

Mr. M.M. Agavekar a/w. Shraddha Chavan for Petitioners.

Mr. Shriram S. Redij for respondent Nos.1 to 6.

Mr. Abhijit B. Kadam for respondent Nos.7 to 11.

CORAM : UJJAL BHUYAN, J.

DATE : 5th NOVEMBER, 2019.

P. C. :

1. Heard learned counsel for the parties.
2. This application has been filed to bring on record legal heirs of the sole petitioner in Writ Petition No.11279 of 2017. Additionally, prayer has been made for condoning the delay of more than a year in filing the substitution petition.
3. Learned counsel for respondent Nos.1 to 6, however, objects to the prayer made on the ground of delay and laches.
4. Be that as it may, after hearing learned counsel for the parties and on due consideration, Court is of the view that it would be in the interest of

justice, if the related writ petition is heard and decided on merit.

5. Sole petitioner Mr. Mohammed Sherif (Alimia) Bhure had expired on 27.10.2017 at Thane. Applicant nos.1(a) to 1(e) are stated to be legal heirs of the deceased petitioner.

6. On due consideration, prayer made in this application is allowed.

7. Civil Application, is accordingly, disposed of.

[UJJAL BHUYAN, J]