

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

**CIVIL APPLICATION NO.2467 OF 2017
IN
WRIT PETITION (ST.) NO.12165 OF 2014**

Rajnikant J. Pratap (since deceased)
Through Lrs. And Ors. .. Petitioners

V/s.

Harshkant Jagmohandas Pratap and Ors. .. Respondents

Mr.Satyajeet M. Mirajkar for the applicant

Ms.S.A.Naik I/b Mr.P.D.Pise for the respondent nos.1/1, 1/2 and 2

**CORAM: K.K. TATED, J
DATED : JANUARY 21, 2019**

P.C. :

1 Heard.

2 Advocate Ms.S.A.Naik submits that she received instruction to appear on behalf of legal heirs of deceased Respondent no.1. She submits that she does not have objection if Civil Application is allowed.

3 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and as advocate for legal heirs of deceased Respondent no.1 have no objection, I am satisfied that the Applicant has made out a case

for allowing the present Civil Application. Hence, the following order:

- a) Delay in filing Civil Application is condoned.
- b) Applicant is permitted to bring legal heirs on record of deceased Respondent no.1 in Writ Petition (ST) No.12165 of 2014 on or before 20.2.2019 failing which the Civil Application shall stand dismissed without further reference to the court.
- c) If amendment is carried out within stipulated time as stated hereinabove, Applicant is directed to serve amended copy of Writ Petition on legal heirs of deceased Respondent no.1 and file affidavit of service to that effect on or before 06.03.2019.
- d) Civil application stands disposed off accordingly.
- e) No order as to costs.

(K.K. TATED, J.)