

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

**CIVIL APPLICATION NO. 1007 OF 2017
IN
WRIT PETITION NO. 1409 OF 1996**

Gangadhar Sidramappa Patil (Since deceased) Through LRs. & Ors.	...	Applicants
V/s.		
Vishwanath Shivshankar Birajdar & Ors.	...	Respondents

Mr.A.B. Tajane for Applicants.
Mr.S.S. Shah for Respondent No.1 and 2.
Mr.P.P. Pujari, AGP for Respondent No.3.

CORAM : A.S. GADKARI, J.

DATE : 9th August 2019.

P.C. :

1] The applicant Nos.1A and 1B are claiming to be interested persons in the trust, namely, Sri Ganesidha Shikshan Prasarak Mandal, Kumbhari, Taluka and District Solapur. The Writ Petition was filed by Gangadhar Sidramappa Patil, who was then a trustee of the said trust and as per the pleadings in the application, he expired on 7th April 2016.

2] Mr.Tajane, learned counsel for the applicants submitted that, the applicants are having interest in the trust and are intending to pursue the said Petition filed by Gangadhar S. Patil.

Mr.Shah, learned counsel for the respondent Nos.1 and 2 vehemently opposed the application.

3] In the absence of original petitioner, the petition would stand abated. As submitted by the learned counsel for the applicants, the applicants being interested persons in the trust, intends to pursue the said petition, after demise of Gangadhar S. Patil. In the interest of justice, the applicants in their capacity as 'interested persons' in the said trust are permitted to pursue and prosecute the said Writ Petition and the applicants are permitted to bring themselves on record as petitioners.

4] Said amendment be carried out within a period of two weeks from today and an amended copy of the petition be served upon the learned Advocate for the respondents within the same stipulated period.

5] Application is allowed in the aforesaid terms.

[A.S. GADKARI, J.]