

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1 OF 2019
IN
CRIMINAL WRIT PETITION NO.3863 OF 2017

**MUBARAK ABBAS DEVALE (Deceased))
Through Legal Heirs Taherabi Mubarak Devale)
and Others)...APPLICANTS**

V/s.

THE STATE OF MAHARASHTRA AND ORS.)...RESPONDENTS

Mr.B.G.Ligade, Advocate for Applicants.

Mr.Yuvraj Narvankar, Advocate for Respondent No.9.

Mr.R.M.Pethe, APP for the Respondent – State.

CORAM : A. M. BADAR, J.

DATE : 6th FEBRUARY 2020

P.C. :

1 Heard both sides. Perused copy of the Death Certificate at
Exhibit A to the instant application. It is reported that petitioner
died on 26th February 2019. It is urged that right to sue survives
and the applicants are legal heirs of deceased petitioner.

2 In this view of the matter, the application is allowed by permitting applicants to prosecute the present petition as legal heirs of deceased petitioner by condoning the delay, if any.

3 The necessary amendment be effected within a period of fourteen days.

(A. M. BADAR, J.)