

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 5580 OF 2009

Prabuddha Co-operative Housing Society, through its Secretary

vs.

State of Maharashtra Secretary to Government Urban Development
Department Mantralaya Mumbai and others

Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri. R. V. Gaikwad, counsel for petitioner.
Shri. S. P. Kshirsagar, counsel for respondents No.2 & 3.
Shri. S. B. Bisa, AGP for respondent No.1.
Smt. Rajashri Jain – in person.

CORAM : MANISH PITALE J.

DATED : 10/01/2020

CIVIL APPLICATION NOS. 1004 AND 1005 OF 2019

Notice was issued in these applications filed by the petitioner for bringing on record the legal representatives of deceased respondent No.2. Since there was delay in moving the application an application for condonation of delay, as also an application for setting aside abatement has moved.

2. In response to the notices issued by this Court one of the proposed legal representatives i.e. Rajashri has appeared before this Court in person and stated that she is not the legal representative of deceased respondent No.2 Laxman Gambhira Meshram, as deceased was her maternal uncle. In the face of said

statement, the learned counsel appearing for the petitioner on instructions, submits that he is not pressing said application. He also makes submission that it would not be necessary to bring on record legal representatives of respondent No.2. Be that as it may, since the petitioner does not wish to press the said application, the same are dismissed as not pressed at the risk of the petitioner.

3. In this situation an oral request is made by the learned counsel appearing on behalf of the petitioner for permission to delete the name of respondent No.2 from the array of respondents. The said request is accepted and the petitioner is permitted to delete the name of respondent No.2 from the array of respondent at the risk of the petitioner. Consequential amendment be carried out within a period of two weeks.

JUDGE