

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**918 CIVIL APPLICATION NO. 4368 OF 2021
IN WP/5116/2020**

LATE SMT. ANANDIBAI SHEKCHAND PIPADA
THROUGH LRS. CHETAN ISHWARLAL PIPADA

VERSUS

GANGARAM CHHABILDAS DHARMATH ARYA AUSHADHALAY TRUST
YEWALA THROUGH TRUSTEE AND OTHERS.

...

Advocate for the Applicants : Mr. Anil Anturkar, Senior Advocate, i/b Mr.
Patil Bipenchandra K.

Advocate for the Respondents No. 1R1/C: Mr. M. M. Bhokarikar

WITH

**CIVIL APPLICATION NO. 1104 OF 2021
IN WP/8597/2017**

LATE SMT. ANANDIBAI SHEKCHAND PIPADA
THROUGH LRS. CHETAN ISHWARLAL PIPADA

VERSUS

GANGARAM CHHABILDAS DHARMATH ARYA AUSHADHALAY TRUST
YEWALA THROUGH TRUSTEE AND OTHERS.

...

Advocate for the Applicants : Mr. Anil Anturkar, Senior Advocate, i/b Mr.
Patil Bipenchandra K.

Advocate for the Respondents No. 1: Mr. M. M. Bhokarikar

WITH

**CIVIL APPLICATION NO. 4364 OF 2021
IN WP/4477/2020**

GANGARAM CHHABILDAS DHARMATH CHARITY TRUST YEOLE
THROUGH MANAGING TRUSTEE

VERSUS

LATE SMT. ANANDIBAI SHEKCHAND PIPADA
AND OTHERS.

...

Advocate for the Applicants : Mr. M. M. Bhokarikar.

Advocate for the Respondents : Mr. Anil Anturkar, Senior Advocate, i/b Mr.
Patil Bipenchandra K.

WITH

**CIVIL APPLICATION NO. 1471 OF 2021
IN WP/3144/2015**

**LATE SMT. ANANDIBAI SHEKCHAND PIPADA
AND OTHERS.**

VERSUS

**GANGARAM CHABILDAS DHARMATH ARYA AUSHADHALAYA
TRUST YEWALA THROUGH TRUSTEE.**

...

Advocate for the Applicants : Mr. Anil Anturkar, Senior Advocate, i/b Mr.
Patil Bipenchandra K.

Advocate for the Respondents No. 1: Mr. M. M. Bhokarika

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WITH

**CIVIL APPLICATION NO. 4366/2021
IN WP/4477/2020**

**LATE ANANDIBAI SHEKHCHAND PIPADE AND ANOTHER
VERSUS**

**DHAWALCHAND TRIBHUWANDAS PATEL
TRUSTEE GANGARAM CHABILDAS DHARMATH ARYA
AUSHADHALA TRUST AND OTHERS.**

...

Advocate for the Applicants : Mr. Anil Anturkar, Senior Advocate, i/b Mr.
Patil Bipenchandra K.

Advocate for the Respondents No. 1: Mr. M. M. Bhokarika

CORAM : MANGESH S. PATIL, J.

DATE : 13.08.2021.

PER COURT :

After hearing learned Senior Advocate Mr. Anturkar and the learned advocate Mr. Bhokarika it transpires that the petitioner Anandibai in some of these petitions who is the respondent in Writ petitions No. 4200/2014 and 4477/2020 has died. The Applications are made to bring on record her legal representatives.

2. The Trust is opposing the applications on the ground that Anandibai was claiming to be a tenant and the right has been held to be inheritable. The Applications are also being opposed on the ground that Ishwarlal who was the adopted son of Anandibai was more than 15 years of age and could not have been legally adopted. The heirs to be brought on record are the son, widow and married daughter of Ishwarlal.

3. Since all these petitions involve substantial questions which are yet to be determined, in my considered view the right and opportunity of the Trust would not be hampered merely because the legal representatives of Anandibai are allowed to be brought on record. It would always be open for the Trust to demonstrate and satisfy that they are not legally entitled to inherit anything.

4. Keeping open the issue, all these applications are allowed and the legal representatives are allowed to be brought on record. Amendment to be carried out before the next date.

5. List all these Writ Petitions for final disposal. Stand over to 17.08.2021.

(MANGESH S. PATIL, J.)

mkd/-