

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2177 OF 2020

IN

WRIT PETITION NO. 8477 OF 2017

WITH

CIVIL APPLICATION (ST) NO. 23229 OF 2019

IN

WRIT PETITION NO. 8477 OF 2017

Philip Joseph Gomes

(since deceased through LH & Rs.)

Rosemary Leslie Rodrigues & Ors.

Applicants /

.. Org. Petitioners

Versus

Secular CHS Ltd & Ors.

.. Respondents

-
- Mr. Yatin R. Shah for the Applicants / Original Petitioners
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CORAM : MILIND N. JADHAV, J.

DATE : DECEMBER 16, 2021.

P.C.:

. Heard learned counsel appearing for the Applicants / Original Petitioners.

2. In Interim Application No. 2177 of 2020, it is submitted that Petitioner No. 1(a) has expired. She has no legal heirs. Hence, prayer for deletion of her name is sought.

3. Perused the Interim Application. For the reasons stated therein, the Interim Application is allowed in terms of prayer clauses (a) to (c).

The Interim Application stands disposed of accordingly.

4. Civil Application (st) No. 23229 of 2019 is not board. Taken on board. A copy of the same is taken on record as provided by the learned Advocate for the Applicants. He submitted that Petitioner No. 1(b) Rosemary Leslie Rodrigues has expired on 08.09.2018 and her legal heirs namely Malet Leslie Rodrigues (son) and Tewrsey Trevor Miranda (married daughter) are required to be brought on record.

5. Mr. Shah, learned counsel appearing for the Applicants submitted that there is delay of 219 days in taking out the Civil Application. He fairly submits that the aspect of delay has inadvertently remained to be mentioned in the Civil Application. He seeks leave to carry out the amendment in the Application to that effect. Leave granted. Amendment is directed to be carried out forthwith.

6. Perused the Application. For the reasons stated therein, the Application is allowed in terms of prayer (a) by condoning the delay. Civil Application (st) No. 23229 of 2019 stands disposed of accordingly.

7. Amendments pursuant to both the above Applications shall be carried out within a period of two weeks from today and amended copy of the Petition shall be served on the Respondents within a period of two weeks thereafter. Re-verification is dispensed with.

8. Place the Writ Petition on board for hearing on 7th January, 2022.

[MILIND N. JADHAV, J.]

RAVINDRA
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AMBERKAR

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