

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 3101 OF 2021****IN****WRIT PETITION NO. 1763 OF 2005**

Rahul Gajanan RautApplicant.

IN THE MATTER BETWEEN-

Gajanan Balkrishna Raut
(Since deceased)

Through LRS Indumati Gajanan Raut & Ors.Petitioners.

Vs.

Kala Mody

(Since deceased)

Through LRS & Ors.Respondents.

Mr. P.J. Thorat for the Applicants.

Mr. Harshad M. Inamdar for the Respondents.

CORAM : A. S. GADKARI, J.

DATE : 27th OCTOBER, 2021.

P.C.:-

This is an Application for bringing legal heirs of the Respondent No.2 on record and deletion of names of Petitioner Nos. 2 to 7 from the array of the Petitioners.

2 It is stated that, the Respondent No.2 passed away on 29th January, 2021 and the present Application is filed within a period of limitation.

3 It is further stated that, the Petitioner Nos.2 to 7 have executed Release Deed dated 5th October, 1999 in favour of the Petitioner No.1 and therefore, the presence of the Petitioner Nos.2 to 7 is no longer required in

the present proceedings and the Petitioner may be permitted to delete the names of Petitioner Nos. 2 to 7 from the array of the Petitioners.

4 Mr. Inamdar, learned Advocate for the Respondents has no serious objection for allowing the present Application.

In view of the above and for the reasons stated in the Application, Application is allowed in terms of prayer clause (a) and (b).

Necessary amendment be carried out forthwith.

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

Digitally signed
by SANJIV
SHARNAPPA
MASHALKAR
Date:
2021.10.29
18:06:08 +0530