

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****I.A. NO. 1482 OF 2022****IN****WRIT PETITION NO.12164 OF 2019**

Smt. Guljar Bano Patel

.....Applicant.

Vs.

Jayraj Devidas

(Decd.) Through LRs & Ors.

.....Respondents.

Mr. Kailas Dewal i/by Mr. Jayesh M. Joshi for the Applicant.

Dr. P.P. Pujari, AGP for the Respondent No.14-State.

Ms. Divya A. Pawar-Patil for the Respondent Nos.1 to 7, 10, 12 and 13.

CORAM : A. S. GADKARI, J.**DATE : 30th MARCH, 2022.****PC:-**

This is an Application for bringing legal heirs of Respondent No.12 namely Shri. Krishna Hansraj Khatau on record.

It is stated that, the Respondent No.12 expired on 23rd April, 2021. There is a delay of approximately 118 days in filing the present Application.

2 Mr. Dewal, learned counsel for the Applicant, Original Petitioner submitted that, by a letter dated 24th August, 2021, learned Advocate for the Respondent Nos.1 to 7, 10, 12 and 13 informed his Advocate on record about the demise of Respondent No.12 and his legal heirs. That, thereafter immediately on 10th December, 2021, the present

Application is filed. He submitted that, taking into consideration the Orders passed by the Hon'ble Supreme Court of India in Suo Motu Writ Petition (Civil) No(s).3/2020, thereby extending the period of limitation for filing Petitions/Applications/Suits/ Appeals and all other proceedings prescribed under the general law of limitation or under the Special Laws (both Central and/or State), the present Application is filed within the period of limitation.

3 Learned Advocate for the Respondent Nos.1 to 7, 10, 12 and 13 has no serious objection in condoning the delay and allowing the present Application.

4 In view of the above and for the reasons stated in the Application, delay is condoned, abatement if any is set aside and Application is allowed in terms of prayer clauses (a) to (c).

5 Necessary amendment be carried out in the record of the Court and simultaneously in the copy served upon the learned Advocate for the Respondent Nos.1 to 7, 10, 12 and 13 within a period of two weeks from today.

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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