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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 1104 OF 2022
IN
WRIT PETITION NO. 6109 OF 2015**

Sachin J. Thanekar & Ors. ...Applicants

V/s.

Central Bank of India & Ors. ...Respondents

**INTERIM APPLICATION NO. 1103 OF 2022
IN
WRIT PETITION NO. 6109 OF 2015**

Sachin J. Thanekar & Ors. ...Applicants

V/s.

Central Bank of India & Ors. ...Respondents

**INTERIM APPLICATION NO. 1105 OF 2022
IN
WRIT PETITION NO. 6109 OF 2015**

Sachin J. Thanekar & Ors. ...Applicants

V/s.

Central Bank of India & Ors. ...Respondents

Mr. Deepak C. Natu i/by M/s. N. Deepak & Co., for
the applicants/petitioners.

Mr. Lancy D'Souza with Ms. Deepika Agarwal i/by V.
M. Parkar for respondent nos. 1 to 4.

Mr. P. P. Kakade, Government Pleader with Ms. R.
A. Salunkhe, AGP for respondent nos. 5 to 7/State.

**CORAM: DIPANKAR DATTA, CJ &
M. S. KARNIK, J.**

DATE: JULY 1, 2022

P.C.:

Interim Application No. 1105 of 2022:

- 1.** Not on board; taken on board.
- 2.** Having heard learned advocates for the parties and considering the statements made in this interim application, we require affidavits from Mr. Sheshnath V. Bhagat and Mr. Nathuram Rama Karbhari, petitioners 15 and 22 respectively, stating that they are willing to withdraw from the writ petition and abandon their claims on the ground stated in the said interim application. We also require the other surviving petitioners to file a joint affidavit to the effect that they have no objection if the petitioners 15 and 22 withdraw from the writ petition. This affidavit is required in view of the principle flowing from Order 23 Rule 1(5) of the Code of Civil Procedure, 1908.
- 3.** Let the requisite affidavits be filed by two (2) weeks from date.

Interim Application No. 1103 of 2022:

- 1.** Not on board; taken on board.
- 2.** This interim application is at the instance of the petitioners in Writ Petition No. 6109 of 2015 seeking to bring on record the surviving heirs of the deceased petitioner no. 2. The death certificate of the petitioner no.2 is part of the interim application. Having heard learned advocates for the parties, we allow the prayers made in the application. Abatement is set aside and the petitioners are granted liberty

to substitute Ms. Sanjivaneer Gopal Koli in place and stead of the deceased petitioner no. 2.

3. The cause-title of the writ petition be amended suitably within a week from date.

4. The interim application stands allowed. No costs.

Interim Application No. 1104 of 2022:

1. This interim application is at the instance of the petitioners in Writ Petition No. 6109 of 2015 seeking to bring on record the surviving heirs of the deceased petitioner no. 13. The death certificate of the petitioner no.13 is part of the interim application. Having heard learned advocates for the parties, we allow the prayers made in the application. Abatement is set aside and the petitioners are granted liberty to substitute the widow Smt. Manisha Prakash Turbadkar and daughter Vrushali Prakash Turbadkar in place and stead of the deceased petitioner no. 13.

2. The cause-title of the writ petition be amended suitably within a week from date.

3. The interim application stands allowed. No costs.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)

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