

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2168 OF 2019
IN
WRIT PETITION NO. 3833 OF 2001

Mr. Kondaji Bhau Tanpure
(since decd) through Lrs. and Anr. ..Applicants
V/s.

The District Resettlement Officer & Ors. ..Respondents

Mr. Y.B. Langare for the Applicants.
Mrs. Vaishali Nimbalkar, AGP for Respondent Nos. 1 to 3/State.
Ms. Kanchan Phatak i/b Nitin Deshpande for Respondent No.4.

CORAM : C.V. BHADANG, J.

DATE : 04 OCTOBER 2022

P.C.

. This application is filed for bringing the Applicants on record as legal heirs of the sole Petitioner, who expired on 17.12.2011.

2. There is a delay in filing the application. However, the learned counsel for the Petitioner points out that the sole Petitioner having died, the legal heirs were not aware about the pendency of the petition and no intimation was given to the Advocate also. In that view of the matter, the delay in filing the application is sought to be condoned.

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3. I have heard the learned counsel for the parties.
4. The learned AGP and the learned counsel for the Respondent No.4 has opposed the application on the ground that the delay has not been properly explained.
5. The petition is of the year 2001 was admitted and in the interregnum was not listed for final hearing and considering that the sole Petitioner has died and the legal heirs were not aware of the pendency of the petition, the application is allowed in terms of prayer clauses (b) and (c).
6. The necessary amendment to be carried out within two weeks from today. A copy of the amended petition be served on the Respondents.
7. The civil application is disposed of accordingly.

C.V. BHADANG, J.