

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

**INTERIM APPLICATION NO. 10319 OF 2022
IN
WRIT PETITION NO. 1975 OF 2016**

Kiran Ramlal Pardeshi Decd.
Thru LHR Pradeep K. Pardeshi ...Applicant
vs.
Mahatma Gandhi Vidyamandir
Through Secretary and Ors. ...Respondents

Adv. Sangeeta Salvi - - Advocate for the Applicant/Petitioner
Nikhil Chavan i/by Dr. Rajendra Anbhule- Advocate for Respondent Nos.
7, 8 and 9.
Adv. M. Shelar i/by S. S. Patwardhan – Advocate for Respondent Nos. 1 to
6

**CORAM : S.V. GANGAPURWALA AND
S. M. MODAK, JJ.**

DATE : 13th JULY, 2022

P. C. :-

1. This is an application for bringing on record the legal heirs of the Petitioner No. 2.
2. There is a delay of filing the present application, the cause to sue survives.
3. It is trite that the abatement has to be strictly construed and an application for setting aside the abatement has to be liberally construed.
4. For the reasons stated in the application, the Interim application is allowed in terms of prayer clauses 'a' and 'b'. Necessary amendment to be

carried out in the Petition within 14 days.

5. Interim Application No. 10319 of 2022 is disposed of.

[S. M. MODAK, J.]

[S.V. GANGAPURWALA,J.]