

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO.30268 OF 2022****IN****WRIT PETITION NO.8917 OF 2009**

Atul Vasant Chavan

Legal Heir of Original Petitioner late Shri Vasant

Baburao Chavan and Ors.

.. Applicants

IN THE MATTER BETWEEN:

Vasant Baburao Chavan

.. Petitioner

Versus

Bhausahab Vishnu Phadke and Anr.

.. Respondents

.....

- Mr. Nikhil Vijay Adkine i/by. Mr. Ashish Agarkar for Applicants

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CORAM : MILIND N. JADHAV, J.**DATE : DECEMBER 21, 2022.****P.C.:**

1. Heard Mr. Adkine, learned Advocate for Applicants in Interim Application No.30268 of 2022.

2. Mr. Adkine, submitted that the Application seeks impleadment of the Applicants as Petitioners in place of the original Petitioner who has expired on 21.05.2021. They are his legal heirs.

3. For the reasons mentioned in paragraph Nos.5, 6 and 8, the present Interim Application, the application stands allowed in terms of prayer clause (b) which reads thus:

“b. That this Hon’ble High Court be pleased to implead the present Applicants as Petitioners being the legal heirs/representatives of the Original Petitioner”.

4. Delay, if any stands condoned.
5. Mr. Adkine submitted that the total delay is of 7 months after taking benefit of *suo-motu* order passed by the Supreme Court on 10.01.2022. The said delay stands condoned in terms of prayer clause (c) which reads thus:-

“c. That this Hon’ble Court be pleased to condone the delay if any in preferring the present Application.”
6. Amendment to be carried out within a period of four weeks from today. Re-verification stands dispensed with. Amended copy to be served on the Respondents on or before the adjourned date.
7. Interim Application stands disposed.

[MILIND N. JADHAV, J.]

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