

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 4087 OF 2023

WITH

WRIT PETITION NO. 4957 OF 2014

Hashmi Syed Haji Lal and Ors ...Applicants

Versus

The State of Maharashtra & Ors ...Respondents

...

Mr. A. P. Bhandari, Advocate for the Applicants.

Mrs. P. V. Diggikar, AGP, for the Respondent No. 1 – State.

Mr. S. P. Shah, Advocate for the Respondent No. 2.

Mr. V. C. Solshe, Advocate for Respondent Nos. 4 to 6.

...

CORAM : R.M. JOSHI, J

DATE : MARCH 28, 2023

PER COURT :

1. Learned Counsel Mr. V. C. Solshe causes appearance on behalf of proposed Respondent No. 6A to 6D.

2. This application is to bring LR's of deceased Respondent No. 6 – Syed Akbar S/o Syed Nooruddin, who died on 04.03.2022. Copy of death certificate confirms the said fact. Even otherwise the Counsel for the proposed Respondents does not dispute the factum of death and also date of death of the deceased.

3. For the reasons mentioned in the application, this Court finds that no malafides can be attributed to the Petitioner for not taking steps to bring LR's of deceased on record in time. In the interest of justice, application stands allowed in terms of prayer clause 'B' & 'C'. Amendment to be carried out within a week.

4. Learned Counsel for the proposed Respondents waives service on behalf of these Respondents in Writ Petition No. 4957 of 2014.

(R.M. JOSHI, J.)

Malani