

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

**INTERIM APPLICATION NO.1962 OF 2023
IN
WRIT PETITION NO.4108 OF 2021**

Balkrishna Thakya Patil & Ors. .. Applicants
Versus
Hira Ganpat Patil (Deceased) & Ors. .. Respondents

Ms.Yogita Deshmukh Chitnis for the Applicants.
Ms.Shruti D. Vyas, 'B' Panel Counsel for State.
Ms.Priyanka Tiwari h/f Mr.Ashley Cusher for respondent no.3.
Ms.Jacinta D'silva i/by Mr.J.M. D'silva for respondent no.7.

**CORAM : G.S. KULKARNI &
JITENDRA JAIN, JJ.**
DATE : 9th August 2023

P.C.:-

. By this interim application, the applicants seek leave to delete Respondent Nos.1, 2, 9 to 12, 14, 16, 17, 18 and 21 on the ground that the respondents are already dead and it is not possible for the petitioners to bring their legal heirs on record.

2. Leave to amend is granted as prayed for. Amendment to be carried out within two weeks from today.

3. In the above circumstances, the Interim application is allowed, however, with liberty in the event some of the legal heirs are

made known to the petitioners and in that event, the petitioners can take appropriate steps. All contentions in that regards are expressly kept open.

Disposed of. No costs.

JITENDRA JAIN, J.

G.S. KULKARNI, J.