

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2365 OF 2019

IN

WRIT PETITION NO. 4352 OF 2017

Shri Dhondiram Pandurang Shinde.

..Petitioner.

Vs.

Anand Chitra Mandir & anr.

..Respondents.

WITH

WRIT PETITION NO. 3032 OF 2017

Shri Shivaji Krishna Barge.

..Petitioner.

Vs.

Anand Chitra Mandir & anr.

..Respondents

Mr. Manoj Apa Gondapatil, advocate for Petitioner.

Mr. Sandip Mahadik a/w. Mr. Rehan R. Momin, advocate for Respondent Nos. 1(a) and 1(b).

CORAM : G.S. KULKARNI, J.

DATE : JANUARY 24, 2023

P.C.:

1. Heard the learned Counsel for applicant and learned Counsel for the respondent.

2. The prayer in the application is for condonation of delay of one year and 21 days in filing the present application, so as to permit the applicant to implead legal heirs of Late Anandrao Apte and the

newly appointed Court Receiver as mentioned in the cause title of the present civil application and further to permit the applicant to carry out necessary amendments into the cause title of the Writ Petition.

3. Having perused the averments as made in the application. There is sufficient explanation for the delay to be condoned. It is thus, in the interest of justice, the application be allowed. The application is accordingly allowed in terms of prayer clause (a). Necessary amendment to be carried out within 10 days from today.

4. List both the petitions for admission after two weeks. Reply affidavit on behalf of the respondents, if desired, be placed on record. Stand over to **7 February, 2023**.

[G.S. KULKARNI, J.]