

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.13589 OF 2023

IN

WRIT PETITION NO.5410 OF 2012

SMT. SUSHILA MADHUKAR GURAV & ORS.)...APPLICANTS

V/s.

SAKAL NARAYAN J SHARMA (deceased)

THRU LHRS AND OTHERS

)...RESPONDENTS

WITH

CIVIL APPLICATION NO.41 OF 2018

IN

WRIT PETITION NO.5410 OF 2012

Ms.Pramila Prajapati i/by Mr. Omprakash Pandey, Advocate for the Applicants/Petitioners.

Mr.Yash Tiwari i/by K.P.Tiwari & Co., Advocate for Respondent No.1.

CORAM : ABHAY AHUJA, J.

DATE : 8th AUGUST 2023

P.C. :

1. This is an Application seeking to bring on record the heirs of the deceased Petitioner. Ms.Pramila Prajapati, learned Counsel for the Applicants, draws the attention of this Court to paragraph 2 of the said Application to submit that the original Petitioner died on 10th August 2020 at Mumbai leaving behind the heirs and legal representatives

mentioned in the schedule to the application. Learned Counsel would submit that since there was Covid pandemic, the Application could be filed only on 25th September 2020. Learned Counsel submits that there is no delay in filing the said application and the application be allowed. Mr.Yash Tiwari, learned Counsel for the Respondent no.1, has no objection, if the Application is allowed.

2. Having heard the learned Counsel and having perused the Application, the Application stands allowed in terms of Prayer clause (b). Let the amendment be carried out within a period of four weeks and let the amended copy be served on the other side within a period of two weeks thereafter.

3. The application is allowed in above terms and stands disposed.

INTERIM APPLICATION NO.13591 OF 2023
AND
INTERIM APPLICATION NO.13584 OF 2023

4. Not on board. Mentioned.

5. By these Interim Applications, the legal heirs of deceased Petitioners no.1(c) and 1(f) were allowed to be brought on record and the amendment was directed to be carried out within a period of two weeks. However, since the Interim Application No.13589 of 2023 was

yet to be allowed, which is allowed today, this amendment could not be carried out. Accordingly, the time to carry out the amendment is extended by a period of four weeks. Let the amendment be carried out within this time and let the amended copy be served on the other side within a period of two weeks thereafter.

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6. List the Writ Petition on **26th September 2023**.

(ABHAY AHUJA, J.)