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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6912 OF 2019

Multanchand Ratanchand Meher

..... Petitioner

Vs.

The State of Maharashtra and Ors.

..... Respondents

Ms.Sweta Shah i/b Mr.Abhijit P. Kulkarni for the Petitioner

Mr.A.I.Patel, Addl. G.P. a/w Mr.K.S.Thorat, A.G.P. for the State

CORAM: K.R. SHRIRAM, J &
FIRDOSH P. POONTWALLA, J.

DATED : 13TH JULY 2023

P.C.

1. The only substantial prayer is prayer clause (b) which reads as under:

“(b) By issuing appropriate writ in the nature of mandamus or any other appropriate writ, order and/or directions this Hon’ble Court may be pleased to direct the Respondents to make the necessary correction in impugned communication dated 20.02.2018 issued by the Deputy collector Pune in compliance with the directions of this Hon Court issued in order dated 05.02.2018 in Writ Petition No.10140 of 2017 and further be pleased to direct the Respondents to make necessary corrections in the conditions imposed by the Additional collector, Pune in his communication / purported order dated 23.03.2018.”

2. On 22nd June 2023 we were informed that petitioner had died few

months ago and the legal heirs have to be brought on record. On the next date, i.e., today the legal heir/s of petitioner was/were to file draft amendment to bring themselves on record.

3. Ms.Sweta Shah states that despite communication addressed to legal heirs on 22nd June 2023 no instructions have come forth. Therefore, we dismiss the petition for want of prosecution.

4. At the same time, it is open to legal heirs of petitioner to apply to the Deputy Collector or Additional Collector, as the case may be, to make necessary correction in the impugned communication dated 28th February 2018. The concerned authority after being satisfied that the applicants are the legal heir/s of petitioner Multanchand Ratanchand Meher may consider the application and dispose the same in accordance with law. If such application is made the same shall be disposed within 12 weeks of receiving the same.

5. We clarify that we have not made any observation on the merits of the matter.

6. Petition disposed.

7. Registry to forward a copy of this order to the “legal heirs c/o Petitioner” at the address in the cause title. Petitioner’s advocate shall also forward a copy.

(FIRDOSH P.POONIWALLA, J.)

(K.R. SHRIRAM, J.)