

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.16685 OF 2022
IN
SECOND APPEAL NO.590 OF 2011

SMT. TULSABAI DATTU GURAV
(DECD. THR.LRS) SHRI. NIVRUTTI
MARUTI GURAV AND ORS ...Applicants

V/s.

SOU. KAMAL PANDURANG GURAV
AND ORS ...Respondents

Mr. Rajesh Parab for the Applicant/Appellant.
Mr. Onkar Wable i/b. Milind Deshmukh for the Respondent Nos. 2
to 6.

CORAM : RAJESH S. PATIL, J.

DATED : 28th NOVEMBER, 2023

PC.:

1. This Interim Application is filed to bring on record the proposed legal heirs of the deceased, the sole Appellant in Second Appeal.

2. The sole Appellant died on 17 November 2020, during the pandemic period. The Supreme Court in Suo Motu Civil Writ Petition No.3 of 2020 has excluded pandemic period from limitation in filing Application before Court till 28/2/2020.

Therefore, the present case the limitation period would end on 29 May, 2020. On 29 May 2020 the Courts were close down for summer vacation and the Court open only on 6 June 2020. The present Civil Application is filed on the first day when the Court reopened after summer vacation i.e. 6 June 2022.

3. Therefore, the present Application is filed in time.

4. I have heard both sides and I have gone through the contents of the application. I am satisfied that the Applicant has made out a case to allow this Application. Hence, Application is allowed in terms of prayer clause (b).

4. Amendment to be carried out within two weeks from today.

5. The Interim Application stands disposed of.

(RAJESH S. PATIL, J.)