

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.18868 OF 2022
IN
WRIT PETITION NO.11445 OF 2013

Malika Dastgir Diwkar and Ors.

Applicants/
.. Petitioners

Versus

Chandraseniya Kayastha Prabhu Ganapati
Mandir Trust, Bhiwandi and Ors.

.. Respondents

WITH
CIVIL APPLICATION NO.2032 OF 2014
IN
WRIT PETITION NO.11445 OF 2013

Satish Narayan Durve and Ors.

.. Applicant

IN THE MATTER BETWEEN:

Malika Dastgir Diwkar and Ors.

.. Petitioners

Versus

Malika Dastgir Diwkar and Ors.

.. Respondents

-
- Mr. Jayesh Joshi for Advocate for Applicants
 - Mr. Deepak P. Jamsandekar Advocate for Respondent No.1
-

CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 13, 2023

P.C.:

1. Heard Mr. Joshi, learned Advocate for Applicants and Mr. Jamsandekar, learned Advocate for Respondent No.1

2. Interim Application No.18868 of 2022 is filed for bringing the legal heirs of Applicant No.4 (Petitioner No.4 in Writ Petition) who expired on 29.03.2019.

- 3.** Names of legal heirs are mentioned in the cause title of the Application.
- 4.** Mr. Joshi would submit that there is delay of approximately three years.
- 5.** Writ Petition was filed in the year 2013 and interim relief has been granted in the meanwhile.
- 6.** However in view of reasons mentioned sufficient cause is shown and considering the fact that interim order was passed way back in year 2013 the delay needs to be condoned for effective adjudication of the Writ Petition.
- 7.** Interim Application stands allowed in terms of prayer clauses (a), (b) and (c).
- 8.** Necessary amendment to be carried out within two weeks from today. Amended copy of the cause title to be served on Respondents.
- 9.** Re-verification dispensed with.
- 10.** With above directions, Interim Application is disposed.
- 11.** Writ Petition stand over to **13th March, 2023.**

[MILIND N. JADHAV, J.]

RAVINDRA
MOHAN
AMBERKAR

Digitally signed
by RAVINDRA
MOHAN
AMBERKAR
Date: 2023.02.17
10:40:06 +0530