

vai

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

Digitally signed by
VASANT
ANANDRAO IDHOL
Date: 2023.03.04
17:00:03 +0530

INTERIM APPLICATION NO.1528 OF 2019
IN
WRIT PETITION NO.13615 OF 2016

Smt.Radhabai B. Gavate, since deceased
through L.Rs. - Ravindra B. Gavate & Ors.

...Applicants /
...Petitioners

V/s.

State of Maharashtra & Ors.

...Respondents

Ms.Shweta R. Rathod i/b Elixir Legal Services for Petitioner Nos.2, 3,
4 and 6 and for the Applicant Nos.2, 3, 4 and 6.

Mrs.M.S. Bane, AGP for the State – Respondent Nos.1 and 2.

CORAM : R.D. DHANUKA &
M.M. SATHAYE, JJ.
DATE : 2ND MARCH, 2023.

P.C. :-

1. This is an Interim Application praying for permission to bring the legal heirs of the Petitioner No.1 on record, who has expired on 7th August, 2019. A perusal of the Interim Application shows that it is filed on 30th September, 2019 and as such there is a small delay of about 23 days in filing the Interim Application.

2. Learned counsel for the Petitioners states that a copy of

the Interim Application is served upon the Respondents.

2. No affidavit in reply is filed till dated by any of the Respondents. None appeared for the Respondent No.3 today. In paragraph 2 of the application, it is stated that the proposed legal heirs of the Petitioner No.1 are already on record as the Petitioner Nos.2 to 7.

3. In that view of the matter, for reasons stated in the Interim Application, it is allowed in terms of prayer clause (a). The Petitioners are directed to carry out the amendment in the cause title and serve amended copy upon the Respondents within one week from today.

4. Interim Application is allowed in aforesaid terms.

(M.M. SATHAYE , J.)

(R.D. DHANUKA, J.)