

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1106 OF 2003**

Vallipuram Gireesaiyer VenkitewaranPetitioner

V/s.

Rajeshwai Menon I.T. Officer ...Respondents

**WITH
INTERIM APPLICATION NO.150 OF 2022
IN
WRIT PETITION NO.1106 OF 2003**

Mr. B. D. Damodar i/b Kanga & Co. for Applicant.

Mr. Akhileshwar Sharma a/w Ms Shilpa Goel for Respondents-Revenue.

**CORAM : K.R. SHRIRAM &
M.M. SATHAYE JJ
DATED : 5th JUNE 2023**

P.C. :

INTERIM APPLICATION NO.150 OF 2022

1 This interim application has been filed to bring on record the legal heirs of original petitioner, who expired on 3rd December 2015. The interim application itself has been taken out only on 24th December 2021. There has been a substantial delay. At the same time, interim application has been served on respondents on or about 30th December 2021 and no reply opposing interim application is filed. Mr. Sharma submits that the delay is inordinate and would leave it to the court to pass appropriate orders.

2 Having considered the reasons given in the affidavit in support of the interim application and since this is also a petition, which has been admitted way back on 23rd March 2003, in our view, the delay has to be condoned.

3 Accordingly, interim application is allowed in terms of prayer clauses (a) and (b). Applicant to carry out amendment to the petition in terms of item (I) of schedule at Exhibit A1 and serve the amended petition on respondents within three weeks from today.

4 Applicant to pay costs of Rs.10,000/- within two weeks from today, to High Court Legal Aid Fund, Account No.60045304283, IFSC-MAHB0000002, of Bank of Maharashtra, Branch- Fort, Mumbai 400 032, maintained by the High Court Legal Services Committee, Mumbai. Room No.105, 1st Floor, PWD Building, High Court, Mumbai and to furnish the details of such cost to the High Court Legal Services Committee, Mumbai and obtain the receipt thereof physically or through Email, i.e., hclsc.mumbai@gmail.com which shall be the proof of such payment/deposit.

5 Application accordingly disposed.

WRIT PETITION NO.1106 OF 2003

6 Petition to come up for final hearing on 7th July 2023.

(M. M. SATHAYE, J.)

(K.R. SHRIRAM, J.)