



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

2 WRIT PETITION NO. 4823 OF 1998

RAMDAS ARJUN NHA VI SINCE DECEASED THROUGH LEGAL HEIRS
DATTATRAYA RAMDAS SURYAWANSHI AND OTHERS

VERSUS

HARISCHANDRA VITTHAL MARATHE AND OTHERS

...

Advocate for the Petitioner : Mr. G. V. Wani.

Advocate for Respondent Nos.3-A To 3-E : Mr. R. R. Sancheti.

...

AND

CIVIL APPLICATION NO. 2264 OF 2020

IN

WRIT PETITION NO. 4823 OF 1998

...

CORAM : **KISHORE C. SANT, J.**

DATE : 21st November, 2024.

P.C.:

CIVIL APPLICATION NO. 2264 OF 2020

. This application is filed for bringing on record the legal heirs of deceased respondent No.1 – Harishchandra, who died on 3rd March, 2019 and deceased respondent No.4 – Vishwanath, who died on 1st April, 2018. Their heirs are shown in paragraph No.2 of the application. The said heirs are taken on record. Mr. Sancheti, learned counsel undertakes to file *Vakalatnama* on behalf of the said respondents.

2 There is delay of 259 and 595 days respectively in bringing the L.Rs. on record. For the reasons stated in the application, the delay stands condoned. The application is allowed. Necessary amendment be carried out within two weeks from today.

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3 Today, Mr. Wani, learned counsel for petitioners has produced on record written instructions received by him instructing him to withdraw the writ petition. The petitioners Muktabai Ramdas Suryawanshi and Mirabai Shivajirao Thakrey are dead. Muktabai died on 16th February, 2016 and Mirabai died on 11th May, 2021. Petitioner Nos.1 to 4 and 6 are the only heirs and those are already on record. The written communication alongwith death certificates of Muktabai and Mirabai are taken on record and marked as Annexure-X for the purpose of identification.

4 Today, Petitioner – Dattatraya Ramdas Suryawanshi is present in-person in the Court. He confirms the said facts. He also informs that it is decided to withdraw the writ petition, in view of the settlement that has take place out of the Court.

5 In view of this, the writ petition stands disposed of as withdrawn. No order as to costs.

6 In view of the above, the decree passed by the learned Joint Civil Judge, Junior Division, Nandurbar in Regular Civil Suit No.3 of 1986 vide judgment and order dated 1st March, 1997, stands confirmed.

[KISHORE C. SANT, J.]

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