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IN THE HIGH COURT OF BOMBAY AT GOA
MISC.CIVIL APPLICATION NO.193 OF 2023

ANTONIO FRANCISCO FINTAN GONCALVES
GOMES

... APPLICANT

Versus

KASTHURI NATARAJAN (DEC) THR. LRS.
AND ANR

... RESPONDENTS

Mr. Aniket Prabhu with Ms. Tanisha Mashelkar, Advocates for the
Applicant.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 14th November, 2024

P.C.

1. Heard learned counsel for the Applicant.
2. This is an application for bringing legal heirs of the deceased Petitioner who expired on 06/01/2022.
3. In the main matter, the rule is already issued and the Farhad Note shows that Respondents were duly served. However, no one has put in appearance till date.
4. Learned Counsel would submit that some of the Legal Heirs have already approached him and accordingly he has filed wakalatnama on

behalf of the Legal Heirs as mentioned in paragraph 2. However, the proposed Legal Heirs at serial No. 1(j) and 1(k) failed to approach him and therefore, the said legal heirs should be impleaded as Respondent Nos. 3 and 4.

5. Learned Counsel for Applicant submits that the Petition is filed challenging the orders of the Rent Controller and the District Court thereby refusing to consider the application for eviction. He submits that the right to sue survives to the Legal Heirs.

6. Accordingly, application stands allowed as per prayer clauses b, c, and d which read thus:-

(b) The Applicant be allowed to bring the proposed heirs of the deceased Petitioner, at serial nos. 1(a) to 1(i) as listed in para (2) of this application, on record as Petitioners Nos. 1(a) to 1(i).

(c) The Applicant be permitted to implead the proposed heirs at serial nos. 1(j) and 1(k) listed at aforesaid para (2), as Respondents Nos. 3 and 4 respectively.

(d) That notices be issued to the aforesaid proposed heirs at serial nos. 1(j) and 1(k) to be impleaded as Respondents No. 3 and 4.

7. Amendment to be carried out within a period of one week and

thereafter, fresh notices to be issued to the added Respondents in the main matter.

BHARAT P. DESHPANDE, J.