

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7907 OF 2005

The Saswad Mali Sugar Factory Ltd. .. Petitioner
Versus
Ganpat Sadashiv Teli Kshirsagar and Ors. .. Respondents

WITH
INTERIM APPLICATION NO.3415 OF 2023
IN
WRIT PETITION NO.7907 OF 2005

The Saswad Mali Sugar Factory Ltd. Applicant /
.. Petitioner
Versus
Ganpat Sadashiv Kshirsagar (Teli) (since
deceased) through legal heirs Subhadra Ganpate
Kshirsagar (Teli) and Ors. .. Respondents

WITH
CIVIL APPLICATION NO.2029 OF 2016
IN
WRIT PETITION NO.7907 OF 2005

The Saswad Mali Sugar Factory Ltd. Applicant /
.. Petitioner
Versus
Ganpat Sadashiv Kshirsagar (Teli) (since
deceased) through legal heirs Subhadra Ganpate
Kshirsagar (Teli) and Ors. .. Respondents

WITH
CIVIL APPLICATION (ST.) NO.9947 OF 2018
IN
WRIT PETITION NO.7907 OF 2005

The Saswad Mali Sugar Factory Ltd. Applicant /
.. Petitioner
Versus
Ganpat Sadashiv Kshirsagar (Teli) (since
deceased) through legal heirs Subhadra Ganpate
Kshirsagar (Teli) and Ors. .. Respondents

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- Ms. Gunjan Shah i./by Mr. Prafulla Shah, Advocate for Petitioner.
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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 18, 2024

P.C.:

- 1.** Heard Ms. Shah, learned Advocate for Petitioner.

INTERIM APPLICATION NO.3415 OF 2023 :

- 2.** Interim Application No.3415 of 2023 is filed for bringing on record legal heirs of deceased Respondent No.4 who expired on 22.09.2020. There is no delay in filing the Interim Application.

2.1. For the reasons mentioned in the Application, Interim Application stands allowed. Names of legal heirs of deceased Respondent No.4 are permitted to be brought on record as stated in the Application. Amendment to be carried out within a period of one week from today. Copy of amended cause title be served on Respondents. Re-verification stands dispensed with.

- 2.2.** Interim Application No.3415 of 2023 is disposed.

CIVIL APPLICATION NO.2029 OF 2016 :

- 3.** Civil Application No.2029 of 2016 is filed for bringing on record legal heirs of deceased Respondent No.1 who expired on 22.11.2013. There is a delay of 55 days in filing the Application.

3.1. For the reasons mentioned in the Application, delay if any stands condoned. Civil Application is allowed. Respondent No.1's legal heirs names are permitted to be brought on record. Amendment to be carried out within a period of one week from today. Copy of amended cause title be served on Respondents. Re-verification stands dispensed with.

3.2. Civil Application No.2029 of 2016 is disposed.

CIVIL APPLICATION (ST.) NO.9947 OF 2018 :

4. Civil Application (Stamp) No.9947 of 2018 is filed for deletion of Respondent no.1a who would be impleaded as Respondent No.1 since she expired on 11.06.2017 in the interregnum.

4.1. For the reasons mentioned in the Application, deletion of Respondent No.1a's name is permitted. Amendment to be carried out within a period of one week from today. Copy of amended cause title be served on Respondents. Re-verification stands dispensed with.

4.2. Civil Application (St.) No.9947 of 2018 is disposed.

5. Despite a lot of efforts taken by the Department, papers of this proceedings are not traceable / available in the Registry.

6. Ms. Shah is directed to reconstruct a fresh Writ Petition brief and file the same with the Registry of this Court within a period of one week from today and get ready in the matter and argue on the next

adjourned date.

7. Registry of this Court shall permit reconstruction of the brief and the orders and place the same before the Court on the next adjourned date.

8. Stand over to **25th January, 2024.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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