

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2096 OF 2020
IN
WRIT PETITION NO.10201 OF 2016

Mrs. Amisha Atul Gandhi & Ors. ...Applicants.

In the matter between:-

Mrs. Amisha Atul Gandhi & Ors. ...Petitioners

Versus

Shree Gurukrupa Co-Operative
Housing Society & Ors. ...Respondents

Mr. Vipul Shukla for the Applicants/Petitioners.

Dr. D. R. Talankar for Respondent Nos.2, 3, 8 to 13.

Mr. Shilpa Redkar for Respondent No.6 (BMC).

Ms. Nupur Desai i/b. M/s. Markand Gandhi & Co. for Respondent No.7.

CORAM : A. S. CHANDURKAR &
JITENDRA JAIN, JJ.

DATE : 21st FEBRUARY 2024

P.C.:

1. By this application, the Original Petitioners seek to bring on record the legal heirs of Petitioner Nos.4 and 5, who expired on 15th December 2016 and 14th July 2018 respectively. The reason for the time taken to move the present application has been stated in paragraph 5 of the application.

2. The prayer is opposed by the learned counsel for the Respondents by submitting that the grounds furnished are not sufficient.
3. Considering the fact that the death has occurred during pendency of the Writ Petition and the delay caused is not deliberate, the application is allowed. The legal heirs of Petitioner Nos.4 and 5 are permitted to be brought on record.
4. The amendment be carried out within a period of two weeks from today.
5. Interim application is disposed of.

(JITENDRA JAIN, J.)

(A. S. CHANDURKAR, J.)

(This order is modified as per speaking order dated 7th March 2024)