

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 215 OF 2018
IN
REVISION APPLICATION NO. 521 OF 2013

Smt. Shafiyabegam Mahammadso Momin (Since Deceased) Through LRS And Ors. ...Applicants/
...Petitioners

Versus

Shripati Vasudeo Urunkar (Since Deceased)
Through LRS, Respondents No. 2 And 3) And ...Respondents
Ors.

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Mr. Rajendra Khaire a/.w Aniket S. Phapale i/b. N.V. Bandiwadekar,
for Applicants/Appellants.
Mr. Kush M. Lahankar i/b. Mr. S.R. Ganbavale, for Respondent Nos.2
& 3.

CORAM : M.M. SATHAYE, J.

DATE : 12th FEBRUARY 2024

P.C. :

. Heard learned counsel for the parties. This is an application for bringing legal heirs of deceased Petitioner No. 1A who is also Petitioner No. 3 (Mahammadso Kadarsaheb Momin), who has expired during the pendency of the above Civil Revision Application. There is delay of 93 days in filing the application.

2. It is submitted that the proposed legal heirs are already on record as Petitioner Nos.1B to 1F in their individual capacity.

3. Considering the fact that proposed legal heirs are already on record in their individual capacity, delay is only technical. No reply is filed. In light thereof, considering the uncontroverted averments made in the application, sufficient cause is made out.

4. Interim application is allowed in terms of prayer clauses (a) and (b). Delay is condoned. The Applicants are permitted to show/treat Applicant Nos. 1B to 1F as legal heirs of deceased Petitioner No.1A / 3. Necessary amendment to be carried out within a period of four weeks.

5. All concerned to act on duly authenticated or digitally signed copy of this order.

(M.M. SATHAYE, J.)