

Vinaa Khadpe
(P.S.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION (ST) NO.18546 OF 2022

IN

WRIT PETITION NO.2038 OF 2008

Shri Surendra Govardhandas Saraf and ors

Applicant /
.. Petitioners

Versus

Nagindas Gokuldas Saraf

.. Respondents

.....

- Mr. Prabhakar M. Jadhav, Advocate for the Applicants / Petitioners.
- Mr. Gurudas Gorwadkar, Advocate for the Respondent Nos.1a to 1e.

.....

CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 18, 2024

P.C.:

1. This Application seeks impleadment of legal heirs of the deceased Petitioner No.4 as also transposition of the said legal heirs as Respondent No.10.

2. I have perused the Application. There is delay of 1 year and 153 days in filing the present Application.

3. However considering that the Writ Petition was admitted as far back in the year 2008, for the reasons mentioned in paragraph Nos. 3 to 4, the Application deserves to be allowed subject to payment of costs of Rs.2,500/- to the Kirtikar Law Library, High Court of Bombay which shall be deposited with the Library within two weeks from today. Receipt of payment shall be placed on record of the Writ Petition on the

date of its listing. These costs are imposed only because despite the Applicant having been given enough time, no steps were taken to bring legal heirs on record leading to the Petition having stood abated.

4. In that view of the matter, the Application is allowed in terms of prayer clauses (a) to (d). Amendment shall be carried out within a period of two weeks from today. Amended cause title be served on the Respondents within a period of one week thereafter.

5. Interim Application stands disposed.

Vinaa Khadpe

[MILIND N. JADHAV, J.]

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