

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (ST.) NO.7196 OF 2021
WITH
INTERIM APPLICATION (ST.) NO.34347 OF 2023

Sambhaji Balasaheb Shinde and Anr.

.. Petitioners

Versus

Ankush Balasaheb Shinde and Ors.

.. Respondents

-
- Mr. Vaibhav Ramchandra Gaikwad, Advocate for Petitioners.
 - Mr. Kirankumar Phakade, Advocate for Respondents.
-

CORAM : MILIND N. JADHAV, J.

DATE : MAY 06, 2024

P.C.:

1. Heard Mr. Gaikwad, learned Advocate for Petitioners and Mr. Phakade, learned Advocate for Respondents.

2. Pursuant to order dated 18.04.2024, Mr. Gaikwad informs the Court today that Interim Application (Stamp) No.34347 of 2023 which is not on board and is filed for bringing legal heirs of deceased Petitioner No.1 on record. Petitioner No.1 expired on 20.08.2021. Interim Application is filed on 15.12.2023. By consent this Application is taken on board and decided.

3. Upto 28.02.2022, the Applicants would be entitled to arrest the limitation period as allowed by the Supreme Court by its extant order in *Suo Motu* Writ Petition No.3 of 2020 and in that view of the matter, the apparent delay would be approximately of one year and

ten months.

4. Considering the issue involved in the present case and for the reasons mentioned in the Application, Interim Application stands allowed in terms of prayer clauses (a), (b) and (c). Legal heirs of Petitioner No.1 are directed to be brought on record. Necessary amendment is permitted to be carried out within a period of four weeks from today. Re-verification stands dispensed with. Copy of amended cause title be served on Respondents by Mr. Gaikwad.

5. List the Writ Petition on **10th June, 2024**.

6. Interim Application (Stamp) No.34347 of 2023 is allowed and disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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