

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 6923 of 2024
IN
WRIT PETITION NO. 4333 of 2016**

Parshuram Pandurang Mhaske

(Deceased) Through LRs

Kamla Alias Alka Parshuram Mhaske & Ors. ... Applicants

versus

The Union of India and Others ... Respondents

....

Mr.Nitin Gaware Patil i/b. Mr.Divyesh Jain i/b. Mr.Abhishek Nagode for
the Applicants.

Mrs.Shehnaz V. Bharucha and Mr.D.A.Dubey for Respondent No.1.

Mr.P.P.Kakade, Addl.GP with Smt.S.P.Chipade, AGP and
Mr.A.A.Alaspurkar, AGP for the Respondent -State.

....

CORAM : RAVINDRA V. GHUGE

&

ASHWIN D. BHOBE, JJ.

DATE : 13TH DECEMBER, 2024

P.C.:

1. The sole Petitioner in the Writ Petition has passed away.

Reasons are assigned to narrate the circumstances due to which, the
delay in bringing the legal representatives on record is of 1799 days.

2. Heard the learned Advocates for the respective sides.

3. Having perused the reasons and the cause espoused in the Writ Petition and the background of the Applicants, since the delay is too large, we are imposing nominal cost at the rate of Rs.1/- per day. If the delay is not condoned, an irreparable loss is likely to be caused to the legal representatives since the matter involves immovable properties.

4. In view of the above and keeping in view the law laid down by the Hon'ble Supreme Court in *Collector, Land Acquisition, Anantnag v/s Mst. Katiji, AIR 1987 SC 1353* and *Esha Bhattacharjee v/s Managing Committee of Raghunathpur Nafar Academy, (2013) 12 SCC 649*, the delay of 1799 days is condoned with cost of Rs.1/- per day. **The Interim Application is allowed.** The legal representatives be brought on record, on or before 15th January, 2025.

5. By the consent of the parties, the amount of cost will be donated to the Kirtikar Law Library and the Applicants can directly make a payment to the Library by indicating this order.

(ASHWIN D. BHOBE,J.)

(RAVINDRA V. GHUGE, J.)