

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 1051 OF 2024****IN****WRIT PETITION NO. 6316 OF 2018**

Shiva Dadu Patil (Died since through legal heirs) ... Applicants
A. Krishnath Shiva Patil and Ors.

Versus

Dattatraya Dadoba Karale and Ors. ... Respondents

.....

Mr. Sandeep S. Koregave, Advocate for the Applicants.

Mr. Shubham Dhenge i/b. Mr. Manoj Patil, Advocate for Respondent No.1.

CORAM : R. M. JOSHI, J.

DATED : 18th SEPTEMBER, 2024.

P.C. :

1. Heard.

2. Perusal of the application indicates that the legal heirs of the deceased were already brought on record. This is confirmed by a copy of order dated 02.02.2016 passed in Civil Application No. 242 of 2016 in Writ Petition No. 6850 of 2014. The circumstances mentioned in the application clearly indicates that the delay though appears to be of 8 years and 72 days and 7 years 68 days respectively to bring legal heirs of respondent Nos. 2 and 3, in the facts of the case, even without issuing notice to the legal heirs, application can be allowed.

3. Hence, Interim Application is allowed in terms of prayer clauses (a) to (c).

4. Amendment be carried out within a period of two weeks. On carrying out amendment, issue notice to the added respondents, returnable on 17th October, 2024.

(R. M. JOSHI, J.)

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