

Amol

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 1995 OF 2019
WITH
INTERIM APPLICATION NO. 3539 OF 2024
IN
WRIT PETITION NO. 1995 OF 2019

Sunil Satyanarayan Sharma ...Applicant

In the matter between

Sunil Satya Narayan Sharma
& Kalpana Sunil Sharma ...Petitioner

Versus

Appellate Officer, Appellate Tribunal
& Collector (C.A) Mumbai City & Ors ...Respondents

Mr Aditya Kumar Sharma, *for the Petitioner.*

Ms Jyoti Chavan, Addl GP, *with Himanshu Takke, AGP, for the
Respondent-State.*

Ms Fauzia Bukhari, *for the Respondent No. 3.*

CORAM M.S. Sonak &
Jitendra Jain, JJ.
DATED: 28 November 2024

PC:-

Interim Application No. 3539 of 2024.

1. Heard learned Counsel for the parties.

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2. The learned Counsel for the Petitioner submits that Respondent No. 3 (complainant before the maintenance tribunal) has since expired. He submits that Respondent Nos. 3A to 3C are the legal representatives along with the Petitioner.

3. Accordingly, we grant leave to bring Respondent Nos. 3A to 3C on record by amending the Petition.

4. Amendment to be carried out within a period of two weeks.

5. This Interim Application is disposed of.

Writ Petition No. 1995 of 2019.

6. Ms Fouzia Bukhari appears on behalf of the newly impleaded Respondent No. 3B. Ms Bukhari seeks three weeks time to file a reply. The reply must be filed and served by 17 December 2024. The Petitioner should also take steps to serve the Respondent Nos. 3A to 3C and file affidavit of service. If Respondent Nos. 3A to 3C also wish to file any replies, they should do so within a period of two weeks of service. Advance copies will be served upon learned Counsel for the Petitioner.

7. Mr Sharma, learned Counsel for the Petitioner submits that that issue raised in this Petition is covered by the decision of this Court in **Priya Sameer Holkar Vs Deputy Collector & Ors**¹. He also states that the issue is also covered by the decision of the Hon'ble Supreme Court in **Sudesh Chhikara Vs Ramti Devi & Anr**².

¹ 2024 3 BOM CK 0007

² Civil Appeal No. 174 of 2021

8. Accordingly, we put the parties to notice that subject to constraints of time an endeavour shall be made to dispose of this Petition finally at the admission stage.

9. List this matter on 23 January 2025.

(Jitendra Jain, J)

(M.S. Sonak, J)