

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2483 OF 2000

Krishna Janardhan Kale .. Petitioner
Versus
Mahadeo Janardhan Kale And Ors. .. Respondents

WITH
INTERIM APPLICATION (ST.) NO.23821 OF 2025
IN
WRIT PETITION NO.2483 OF 2000

Krishna Janardhan Kale (since deceased through
legal heirs) Nalini Krishna Kale (since deceased
through legal heirs) Shyam Krishna Kale and
Ors. .. Applicants

IN THE MATTER BETWEEN:

Krishna Janardhan Kale .. Petitioner
Versus
Mahadeo Janardhan Kale And Ors. .. Respondents

WITH
INTERIM APPLICATION NO.3355 OF 2023
IN
WRIT PETITION NO.2483 OF 2000

Krishna Janardhan Kale (since deceased through
legal heirs) Nalini Krishna Kale (since deceased
through legal heirs) Shyam Krishna Kale and
Ors. .. Applicants

IN THE MATTER BETWEEN:

Krishna Janardhan Kale .. Petitioner
Versus
Mahadeo Janardhan Kale And Ors. .. Respondents

WITH
CIVIL APPLICATION NO.2241 OF 2018
IN
WRIT PETITION NO.2483 OF 2000

Krishna Janardhan Kale (since deceased through
legal heirs) Nalini Krishna Kale and Ors. .. Applicants
Versus

Mahadeo Janardhan Kale And Ors.

.. Respondents

**WITH
INTERIM APPLICATION (ST.) NO.1232 OF 2025
IN
WRIT PETITION NO.2483 OF 2000**

Krishna Janardhan Kale (since deceased through legal heirs) Nalini Krishna Kale (since deceased through legal heirs) Shyam Krishna Kale and Ors.

.. Applicants

IN THE MATTER BETWEEN:

Krishna Janardhan Kale

.. Petitioner

Versus

Mahadeo Janardhan Kale And Ors.

.. Respondents

**WITH
INTERIM APPLICATION (ST.) NO.23904 OF 2025
IN
WRIT PETITION NO.2483 OF 2000**

Krishna Janardhan Kale (since deceased through legal heirs) Nalini Krishna Kale (since deceased through legal heirs) Shyam Krishna Kale and Ors.

.. Applicant

IN THE MATTER BETWEEN:

Krishna Janardhan Kale

.. Petitioner

Versus

Mahadeo Janardhan Kale And Ors.

.. Respondents

**WITH
INTERIM APPLICATION (ST.) NO.23913 OF 2025
IN
WRIT PETITION NO.2483 OF 2000**

Krishna Janardhan Kale (since deceased through legal heirs) Nalini Krishna Kale (since deceased through legal heirs) Shyam Krishna Kale and Ors.

.. Applicant

IN THE MATTER BETWEEN:

Krishna Janardhan Kale

.. Petitioner

Versus

Mahadeo Janardhan Kale And Ors.

.. Respondents

-
- Mr. I. M. Khairdi, Advocate for Petitioner.
 - Mr. K. P. Shah, Advocate for legal heirs of Respondent No.1.
-

CORAM : MILIND N. JADHAV, J.

DATE : JULY 16, 2025

P.C.:

1. Heard Mr. Khairdi, learned Advocate for Petitioner and Mr. Shah, learned Advocate for legal heirs of Respondent No.1.

INTERIM APPLICATION (ST.) NO.23821 OF 2025:-

2. Respondent No.1 has expired in the interregnum. Interim Application is filed for bringing his legal heirs on record. The death certificate of deceased Respondent No.1 is appended at Exhibit-E, page No.8 of the Application.

2.1. For the reasons mentioned in the Application, Interim Application stands allowed in terms of prayer clause (c). Delay in filing the Interim Application is condoned. Abatement, if any is set aside.

INTERIM APPLICATION NO.3355 OF 2023:-

3. Petitioner No.1A has expired in the interregnum. Interim Application is filed for bringing her legal heirs on record. The death certificate of deceased Petitioner No.1A is appended at Exhibit-A, page No.10 of the Application.

3.1. For the reasons mentioned in the Application, Interim

Application stands allowed in terms of prayer clause (c). Delay in filing the Interim Application is condoned. Abatement, if any is set aside.

CIVIL APPLICATION NO.2241 OF 2018:-

4. Petitioner has expired in the interregnum. Interim Application is filed for bringing his legal heirs on record. The death certificate of deceased Petitioner No.1A is appended at page No.7 of the Application.

4.1. For the reasons mentioned in the Application, Interim Application stands allowed in terms of prayer clause (b). Delay in filing the Interim Application is condoned. Abatement, if any is set aside.

INTERIM APPLICATION (ST.) NO.23904 OF 2025:-

5. Interim Application is mentioned and taken on today's board.

6. Respondent No.4 has expired in the interregnum. Interim Application is filed for bringing her legal heirs on record. The death certificate of deceased Respondent No.4 is appended at Exhibit-A, page No.8 of the Application.

6.1. For the reasons mentioned in the Application, Interim Application stands allowed in terms of prayer clause (c). Delay in filing the Interim Application is condoned. Abatement, if any is set aside.

INTERIM APPLICATION (ST.) NO.23913 OF 2025:-

7. Interim Application is mentioned and taken on today's board.

7.1. Respondent No.2 has expired in the interregnum. Interim Application is filed for bringing his legal heirs on record. The death certificate of deceased Respondent No.2 is appended at Exhibit-A, page No.8 of the Application.

7.2. For the reasons mentioned in the Application, Interim Application stands allowed in terms of prayer clause (c). Delay in filing the Interim Application is condoned. Abatement, if any is set aside.

8. Learned Advocate for Applicants is directed to carry out necessary amendment regarding impleadment of legal heirs of deceased parties within a period of one week from today. Re-verification stands dispensed with. Registry shall permit the Advocate for Petitioner / Applicants to carry out the amendment.

9. Copy of amended cause-title shall be served by the learned Advocate for Petitioners on the learned Advocate for Respondents.

10. Interim Application (Stamp) No.1232 of 2025 is filed by Petitioners, *inter alia*, requiring to bringing on record subsequent purchasers of the subject property which has been sold by Respondents during the pendency of Writ Petitions. Prima facie, there cannot be

any impediment to allow the same. However, at the request of Mr. Shah, Interim Application (Stamp) No.1232 of 2025 is adjourned by one week to enable Mr. Shah to take instructions and apprise the Court accordingly.

11. Stand over to **23rd July, 2025.**

12. Interim Application No.2241 of 2018, Interim Application No.3355 of 2023, Interim Application (Stamp) No.23821 of 2025, Interim Application (Stamp) No.23904 of 2025 and Interim Application (Stamp) No.23913 of 2023 are disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA
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by HARSHADA
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SAWANT
Date: 2025.07.17
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