

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.13420 OF 2024

IN

WRIT PETITION NO. 11331 OF 2022

Mahadeo Ramchandra Korshetti (Deceased)

Through Legal Heirs and Ors.

...Applicants

In the matter between

Mahadeo Ramchandra Korshetti and Ors.

...Petitioners

Versus

State of Maharashtra and Ors.

...Respondents

Mr. Shon Gadgil a/w Shivraj Patne, Advocate for the Applicants/Petitioners.

Mr. S.B. Kalel, AGP a/w Mr. Tejas Kapre, AGP for Respondent - State.

Mr. Ajit V. Alange, for the Respondent Nos.4 and 5.

CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE : 17 FEBRUARY 2025

P.C.:

1. By this interim application, the applicants have prayed to bring the legal heirs of the deceased petitioner nos.1 and 4 (now deceased) who have expired on 25 June 2022 and 21 January 2022 respectively during the pendency of this proceedings.

2. Having perused the averments made in the interim application, we find that the delay in filing such application as also the averments as set out, more particularly in paragraph 2 of the application, are sufficient explanation and justification for us to allow the said application by condoning the delay in bringing the legal heirs of petitioner nos.1 and 4

on record. Also there is no written opposition to this application filed by any of the parties.

3. The interim application is accordingly allowed. The rights and contentions of the respondent more particularly of respondent nos.4 and 5 who intend to dispute the Will are kept open.

4. Amendment be carried out within one week from today. Amended copy of the petition be served on all the parties.

5. Interim application stands disposed of in the aforesaid terms. No costs.

6. List the proceedings for admission on **10 March 2025 High on Board.**

7. Till the adjourned date of hearing, the respondents are directed to complete the pleadings on the proceedings and there shall not be further extension in that regard.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]