

Priya Kambli

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 13060 OF 2024
IN
WRIT PETITION NO. 5205 OF 2016**

Mohammed Arif Shafeeq Ahmed Patel ... Applicant/
Vs. ... Petitioner
The State of Maharashtra and others ... Respondents

Mr. Ratnesh Dube (through video-conferencing) a/w.
Ms. Divya Shrivastava and Mr. Abdul Ahad for petitioner.
Mr. Sanjay D. Rayrikar, AGP for respondent No.1-State.

CORAM : GAURI GODSE, J.

DATE : 01st AUGUST 2025

ORDER :

1. Issue notice to respondent Nos.2a to 2i. The notice is made returnable on 21st November 2025. In addition to the Court notice, learned counsel for the petitioner to serve the said respondents by private service and file service affidavit before the next date.

2. Learned counsel for the petitioner submits that the application for bringing on record the names of the heirs and legal representatives of the deceased respondent no.2 is

filed in the Trial Court. However, in view of the stay granted by this Court, the application has still remained pending.

3. It is therefore clarified that the stay granted by this Court on 29th April 2016 shall not preclude the Trial Court from deciding the application to bring on record the heirs and legal representatives of the deceased respondent no.2. The order of stay granted on 29th April 2016 is modified by passing the following order:

(a) The Trial Court shall defer the hearing of the suit beyond the date assigned by this Court. However, the Trial Court shall decide the application to bring on record the names of the heirs and legal representatives of the deceased respondent no.2.

4. Learned counsel for the petitioner shall ensure that the copies are supplied and Court notices are issued by taking *Humdast*.

[GAURI GODSE, J.]