

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3525 OF 2014

Rajaram Shiva Tapkire And Ors. .. Petitioner
Versus
Gorakh Eknath Tapkire And Ors. .. Respondent

WITH
INTERIM APPLICATION NO.2068 OF 2025
IN
WRIT PETITION NO.3525 OF 2014

.. Applicant

IN THE MATTER BETWEEN:

Rajaram Shiva Tapkire And Ors. .. Petitioner
Versus
Gorakh Eknath Tapkire And Ors. .. Respondent

WITH
INTERIM APPLICATION (ST.) NO.24029 OF 2025
IN
WRIT PETITION NO.3525 OF 2014

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- Mr. Sagar A. Joshi, Advocate for Petitioner.
 - Ms. Pratibha Shelke, Advocate i/by Ms. Manjiri Parasnis, Advocate for Respondent Nos.1 to 7.
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CORAM : MILIND N. JADHAV, J.

DATE : JULY 14, 2025

P.C.:

1. Heard Mr. Joshi, learned Advocate for Petitioner and Ms. Shelke, learned Advocate for Respondent Nos.1 to 7.

2. Respondent Nos.4 and 6 have expired in the interregnum. Interim Application No.2068 of 2025 is filed for bringing on record Respondent No.6's legal heirs. In so far Respondent No.4 is concerned,

Interim Application (Stamp) No.24029 of 2025 is placed before me. I have taken the said Interim Application on the record and file of the Court at the request made by Mr. Joshi.

3. In the interest of justice and in view of the averments made in both Interim Applications, the Applications stand allowed. There is delay of 735 days and 645 days in filing the Interim Applications for bringing the legal heirs on record. Writ Petition is filed in the year 2014. It is pending hearing and final disposal.

4. In view of the issue concerned in the present Petition, *inter alia*, pertaining to claim of tenancy under the Maharashtra Tenancy and Agricultural Lands Act, 1948, the delay is required to be condoned. Delay in filing both the Interim Applications stands condoned. Abatement, if any is set aside.

5. In view of the above, both Interim Applications are allowed in terms of prayer clauses (A), (B) and (C) respectively.

6. Considering the timeline involved, amendment is permitted to be carried out by the Court forthwith. Mr. Joshi is permitted by the Court to carry out the above amendment forthwith in the presence of Court which he undertakes to do so just now. Reverification stands dispensed with. Copy of the amended cause title shall be served on the Advocate for Respondents.

- 7.** List the Writ Petition as per its turn.
- 8.** Both Interim Application No.2068 of 2025 and Interim Application (Stamp) No.24029 of 2025 are allowed and disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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