

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 6864 OF 2024
IN
WRIT PETITION NO. 5484 OF 2021**

Aishabai Abdullabhai
(since deceased) Through her legal heirs ... Applicants/Petitioners
vs.
Prithvi Premises Co-operative
Society Limited and others ... Respondents

Advocate Tahira Siddique a/w. Ms. Shweta R. Rathod, i/b. Elixir Legal Services for applicants/petitioners.

Mr. Prasad B. Kulkarni a/w. Mr. Mohan L. Raut for respondent No.1-society.

Ms. Sulbha Chipade, AGP for respondent No.3-State.

CORAM : MANISH PITALE, J.

DATE : 17th JUNE, 2025

P.C. :

1. In this application, on 23.04.2024, taking note of the fact that although there was delay in moving the application and there were no averments with regard to the reasons for delay, this Court granted permission for amending the application.

2. Consequently, the application has been amended. As per the amended application, the applicants seek condonation of delay in moving the present application for bringing on record the legal heirs of the petitioner. Copy of the death certificate of the original petitioner is annexed at Exhibit A to the application.

3. Considering the contents of the application as also the specific grounds raised seeking condonation of delay, this Court is inclined to

allow the application, despite the fact that the learned counsel appearing for the respondent No.1-society has vehemently opposed the prayer made in the present application.

4. In view of the above, the application is allowed in terms of prayer made therein, after condoning the delay in moving the present application.

5. The application is disposed of.

6. Consequential amendments in the writ petition be carried out within two weeks from today.

7. List the writ petition for further consideration on 22.07.2025, High on Board.

(MANISH PITALE, J)

Priya Kambli