

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 8576 OF 2024
IN
WRIT PETITION NO. 11860 OF 2019**

Bomi Colabavala (Deceased) and ors. ...Applicant/
Petitioners

Versus

Jeroo Kumana ...Respondent

**WITH
INTERIM APPLICATION NO. 8583 OF 2024
IN
WRIT PETITION NO. 11878 OF 2019**

Bomi Colabavala (Deceased) and ors. ...Applicant/
Petitioners

Versus

Jeroo Kumana ...Respondent

Mr. Dipesh Siroya, for the Applicants - Petitioners in both
IA and WP.

Ms. Vijaya Rao, i/b Mulla & Mulla & Craigie Blunt and Caroe,
for the Respondent.

**CORAM: N. J. JAMADAR, J.
DATED: 3rd JULY, 2025**

PC:-

1. Heard the learned Counsel for the parties.
2. These applications are to bring the legal representatives of deceased respondent on record.
3. Ms. Rao, the learned Counsel, submits that she has instructions to appear on behalf of the proposed legal representative of deceased respondent No.2 – original plaintiff.

4. Ms. Rao opposed the prayer for condonation of delay of 760 days in filing the application to bring the legal representatives of deceased respondent No.2 on record. It is, *inter alia*, submitted that nothing survives in the petitions as the respondent, whose Power of Attorney has filed the affidavit in lieu of examination-in-chief, has passed away.

5. For the reasons assigned in the applications and to advance the cause of substantive justice the applications stand allowed.

6. The delay in taking out the application to bring the legal representatives of deceased respondent stands condoned. The petitioner is permitted to bring the legal representatives of deceased respondent on record.

7. Necessary amendment be carried out forthwith.

8. Applications stand disposed.

[N. J. JAMADAR, J.]