

HUSENBASHA  
RAHAMAN  
NADAF  
Digitally signed  
by  
HUSENBASHA  
RAHAMAN  
NADAF  
Date:  
2025.11.04  
15:07:51 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
INTERIM APPLICATION NO. 12011 OF 2024  
IN  
WRIT PETITION NO.2530 OF 2019

Dileep Singh Barla (since deceased) through  
Legal Representative Smt. Tara Dileep Barla ...Applicant  
Versus  
The State of Maharashtra and Ors. ...Respondents

\*\*\*\*\*

Mr. Vibhor D. Barla for Applicant.  
Ms. Tanu N. Bhatia AGP for Respondent No.1/State.

\*\*\*\*\*

**CORAM : M.M. SATHAYE, J.**

**DATE : 3<sup>rd</sup> NOVEMBER, 2025**

**P.C. :**

1. This is an application for bringing legal heirs of deceased Respondent No.5 on record.

2. According to the office note, Respondent No.5b is duly served and so far as Respondent No.5a is concerned, the Petitioner has filed affidavit of service indicating that Respondent Nos.5a is served by both speed post and registered post A.D. and copies of acknowledgment are produced.

3. Learned Advocate for the Applicant pointed out that Respondent No.5 expired on 28.01.2020 and earlier application i.e. IA/2283/2020 was filed on 18.02.2020 (within time) with a prayer to bring all legal heirs of deceased Respondent No.5 on record. He submitted that during pendency of the said IA/2283/2020, some of the legal heirs expired. Ultimately under order dated 15.07.2024 he

sought permission to withdraw the application which was granted. On the same day, this Court passed following order in above writ petition:

“1. Let an appropriate Application be taken out for bringing on record the surviving legal heirs of the deceased-Respondent No.5 within a period of two weeks.

2. Stand over to 29<sup>th</sup> July, 2024.”

4. He submits that pursuant to the above order, present application is filed seeking permission to bring on record surviving legal heirs of Respondent No. 5.

5. Nobody is appearing for the proposed Respondents despite service. No reply is filed.

6. Considering filing of earlier application in time and the above orders passed, and also considering averments in the application, sufficient cause is made out. The application is allowed, technical delay, if any, in filing the application, is condoned. The Applicant is permitted to bring Respondent No.5a & 5b on record of the petition as legal heirs of deceased Respondent No.5. Amendment to be carried out within one week from today.

7. IA/12011/2024 is disposed of in above terms.

**(M.M. SATHAYE, J.)**