

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.11198 OF 2025

IN

WRIT PETITION NO.12885 OF 2024

Shri Paul Rozario Alvares

(Since deceased through legal heirs)

1A- Shri Rocky Paul Alvares & Ors.

...Applicants

**IN THE MATTER BETWEEN**

Shri Paul Rozario Alvares

(Since deceased through legal heirs)

1A- Shri Rocky Paul Alvares & Ors.

...Petitioners

***Versus***

State of Maharashtra & Ors.

...Respondents

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Mr. Dormaan J. Dalal, for the Applicants.

Mr. N. C. Walimbe, Addl.G.P. a/w Ms. P. J. Gauhane, AGP for the  
Respondent-State.

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CORAM : SUMAN SHYAM &

SHYAM C. CHANDAK, JJ.

DATED : 20<sup>th</sup> AUGUST, 2025

**P.C. :-**

1. Heard.

2. Present Application is seeking condonation of 22 days delay in  
filing this Application and permission to bring on record the legal heirs of  
Respondent No.6.

3. Mr. Dalal, learned Counsel for the Applicants submitted that  
Respondent No.6 in the aforesaid Petition had expired on 30.09.2024 and is

survived by the proposed legal heirs 6A to 6D. He submits that except the said legal heirs, there are no other legal heirs of said Respondent No.6. He submits that, the fact of the death of Respondent No.6 came to the knowledge of the Applicants around 11.01.2025. Thereafter, some time was required to prepare and file this Application. As such, there is delay of 22 days in filing this Application. However, the said delay is not huge and no advantage is taken on account of said delay by the Applicants. He submits that the proposed legal heirs are required to be impleaded for the just adjudication of the Petition.

4. Mr. Walimbe, learned Addl.G.P has no serious objection to condone the delay.

5. In view thereof, the Application is allowed.

6. The delay of 22 days in filing the Application is condoned.

7. The Applicants are permitted to bring on record the said legal heirs of the deceased Respondent No.6, *i.e.*, 6A to 6D.

8. The amendment to be carried out within a period of two weeks from the date of uploading of this Order on the official website of this Court.

9. After the amendment is carried out, the copies of the amended Petition be served upon the opposite parties.

10. Application stands disposed of.

(SHYAM C. CHANDAK, J.)

(SUMAN SHYAM, J.)