

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

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INTERIM APPLICATION NO. 12286 OF 2025
IN
WRIT PETITION NO. 7985 OF 2004

Smt. Chandrabhaga Bhimrao Naiknaware & Os. ... Applicants

In the matter between

Shri Bhimrao Piraji Naiknavare

...Petitioner

Versus

Smt. Bhagubai Bhikaji Jagtap

...Respondent

Mr. Ajinkya Udane for the Petitioner/Applicant.

Mr. Siddharth C. Wakankar for Respondent No.1A.

CORAM : M.M. SATHAYE, J.

DATE : 2nd DECEMBER, 2025

P.C. :

1. Heard learned counsel for the parties. This is an application for bringing on record the legal heir of sole Respondent who has expired during pendency of the petition. The copy of the death certificate is produced on record showing that sole Respondent expired on 21.01.2022. There is delay of about 2 years and 339 days in filing the application.

2. Learned counsel for the Respondent states that he has instructions to appear for the proposed legal heir who is stated in paragraph no.7 of the application.

3. Considering averments made in the application and extent of delay, sufficient cause is made out, however, subject to costs.

4. **Subject to** the Applicant paying costs of Rs.5,000/- to proposed Respondent stated in paragraph no.7 of the application, within a period of 2 weeks from today, the Application is allowed, delay is condoned and the Applicants are permitted to bring proposed legal heir of deceased Respondent on record.
5. Necessary amendment to be carried out within a period of 2 weeks.
6. Interim application is **disposed of** in above terms.

(M.M. SATHAYE, J.)