IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.13026 OF 2025
IN
WRIT PETITION NO.5292 OF 2019

Julekha Abu Katchi since deceased through legal heirs Mohammad Abu Kachchhi and others … Applicants

In the matter between:-

Manakchand Chunilal Munot and others … Petitioners

Vs.

Union of India and others … Respondents

WITH
INTERIM APPLICATION NO.13025 OF 2025
(Not on Board. Taken on Board.)
IN
WRIT PETITION NO.5292 OF 2019

Mr. Rutwij Bapat a/w. Mr. Rajendra J. Rathod a/w. Mr. Dhruv B. Jain for Applicants.
Mr. Ashok R. Varma a/w. Ms. Naveena K., Senior Panel Counsel of UOI for Respondent No.1-UOI,
Mr. Jay Zaveri i/b. Crawford Bayley & Co. for Respondent No.3.

CORAM : MANISH PITALE &
MANJUSHA DESHPANDE, JJ.
DATE : NOVEMBER 17, 2025

P.C. :

. These two applications are filed on behalf of the applicants seeking permission to be substituted in the place of original petitioner Nos.1 and 2. For the reasons stated in the applications, the same are allowed, particularly in the light of the fact that the copies of the death certificates of deceased petitioner Nos.1 and 2 are placed on record.

2. In view of the above, the amendment be carried out within two weeks from today. Interim Applications are disposed of.

MINAL SANDIP PARAB Digitally signed by MINAL SANDIP PARAB Date: 2025.11.18 11:36:38 +0530

3. At this stage, Mr. Zaveri, learned counsel appearing for respondent No.3 submits that this petition ought not to have been entertained by this Court and it deserves to be dismissed on the basis of the law recognized by the Constitution Bench of the Supreme Court of India in the case of *Indore Development Authority Vs. Manoharlal and others*, **(2020) 8 SCC 129** and observations made in a subsequent order of the Supreme Court dated **18.03.2025 passed in an appeal arising from Special Leave Petition (Civil) No.32689 of 2018**, *State of Haryana Vs. Aalamgir and others*.

4. *Prima facie*, we are of the opinion that there is substance in the contention raised on behalf of the said respondent. The petitioners will have to respond to the same on the next date of listing.

5. Accordingly, list this petition for hearing and disposal on 10.12.2025, High on Board.

(MANJUSHA DESHPANDE, J.) **(MANISH PITALE, J.)**

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