IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5068 OF 2017

Smt. Sindhubai Prataprao Jagtap **...Petitioner**

V/s.

Smt. Leelabai Baburao Konde (Deshmukh) and Ors. **...Respondents**

WITH

INTERIM APPLICATION NO. 3872 OF 2026

IN

WRIT PETITION NO. 5068 OF 2017

Anupama Amarsinh Deshmukh **...Applicant/Intervenor**

In the matter between:

Smt. Sindhubai Prataprao Jagtap Ors. **...Petitioner**

V/s.

Smt. Leelabai Baburao Konde (Deshmukh) and Ors. **...Respondents**

WITH

INTERIM APPLICATION NO. 4741 OF 2026

IN

WRIT PETITION NO. 5068 OF 2017

Smt. Sindhubai Prataprao Jagtap Since Deceased, through her legal heirs **...Applicants**

In the matter between:

Smt. Sindhubai Prataprao jagtap **...Petitioner**

V/s.

Smt. Leelabai Baburao Kon De (Deshmukh) And Ors. **...Respondents**

WITH

INTERIM APPLICATION NO. 5638 OF 2026

IN

WRIT PETITION NO. 5068 OF 20217

Smt. Sindhubai Prataprao Jagtap Since Deceased, through her legal heirs **...Applicants**

In the matter between:

Smt. Sindhubai prataprao Jagtap **...Petitioner**

V/s.

Smt. Leelabai Baburao Konde (Deshmukh) And Ors. **...Respondents**

WITH

INTERIM APPLICATION NO. 5637 OF 2026

IN

WRIT PETITION NO. 5068 OF 2017

Smt. Sindhubai Prataprao Jagtap Since Deceased, through her legal heirs **...Applicants**

In the matter between:

Smt. Sindhubai Prataprao jagtap **...Petitioner**

V/s.

Smt. Leelabai Baburao Konde (Deshmukh) And Ors. **...Respondents**

Mr. Sandeep M. Phatak, *for Petitioner.*

Mr. Pradip Patil, *for Intervenor/Applicant in IA 3872 of 2026.*

CORAM: SANDEEP V. MARNE, J.

DATED: 19 AUGUST 2026

P.C.:

Interim Application No. 4741 of 2026:

1) The Interim Application is filed to bring on record legal heirs of the sole Petitioner, who has passed away during pendency of the Petition. For the reasons indicted in the Application and for the purpose of ensuring decision of the Petition on merits, I deem it appropriate to condone the delay in filing the Application. Accordingly, delay is condoned. The Interim Application is made absolute in terms of prayer clause (A) and (B). Necessary amendments to be carried out with a period of three weeks.

2) The Interim Application is **disposed of**.

Interim Application No. 5638 of 2026, Interim Application No. 3872 of 2026:

3) These applications are filed for bringing on record the legal heirs of Respondent No. 1. It appears that legal heirs of Respondent No. 1 have already filed an Application seeking intervention in the Petition. Thus, there is eagerness on the part of legal heirs of Respondent No. 1 to come on board for the purpose of defending the Petition. In that view of the matter, the Interim Application No. 5638 of 2026 is made absolute in terms of prayer clauses (A) and (B). Necessary amendments to be carried out within a period of three weeks.

4) The Interim Application No. 5638 of 2026 is **disposed of**.

5) Since the Interim Application 5638 of 2026 is **allowed,** nothing survives in the Interim Application 3872 of 2026 and the same is accordingly **disposed of**.

Interim Application 5637 of 2026:

6) The Interim Application is filed to bring on record legal heirs of Respondent No. 2A, who has passed away during pendency of the Petition. With a view to ensure decision of the Petition on merits and considering the fact that Respondent No. 2A is not the main contesting Respondent, I deem it appropriate to complete the formality of bringing on record legal heirs of deceased Respondent No. 2A by condoning the delay. Accordingly, the Interim application is made absolutely in terms of prayer clauses (A) and (B). Necessary amendments to be carried out within a period of three weeks.

7) The Interim Application is **disposed of**.

Writ Petition No. 5068 of 2017:

8) List the Petition for admission on **9 September 2026**.

[SANDEEP V. MARNE, J.]