

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 14508 OF 2022**

Smt. Namita Mahadev Uparkar

...Petitioner

Versus

Municipal Corporation of Gr. Mumbai

Municipal Head Office & Anr.

...Respondents

**WITH
INTERIM APPLICATION NO. 15537 OF 2024**

Ms. Meena Rupavel for the Petitioner.

Mr. D. R. Kawale for BMC.

**CORAM : R. I. CHAGLA AND
ADVAIT M. SETHNA, JJ.**

DATED : 14TH JANUARY, 2026

P.C.:-

1. By this Interim Application, the Applicant has sought permission to amend the Petition by bringing the Applicant on record in place and stead of the Original Petitioner who expired on 30th January 2024. A copy of death certificate of the Original Petitioner is annexed at Exhibit-A to the Interim Application.

2. The Applicant is mother of the Original Petitioner and a legal heir. The Original Petitioner had filed the present Petition for reinstatement and claiming back wages from the Respondent-corporation. Although reinstatement had been granted by this Court, the issue of back wages still remains to be agitated in the Writ Petition.

3. The Applicant is the only surviving legal heir of the Petitioner and has accordingly sought her impleadment in place and stead of the Petitioner.
4. We have considered the present Interim Application. In view of the dispute concerning back wages which the Original Petitioner had claimed that she was entitled to, the Applicant being the sole surviving legal heir of the Petitioner is entitled to be brought in place and stead of the Original Petitioner.
5. In view thereof, the Interim Application is required to be allowed.
6. Hence the following order:-

ORDER

- i. The Applicant is permitted to amend the Petition as per the schedule annexed as Exhibit-A to the Interim Application.
 - ii. The amendment shall be carried out within a period of two weeks from today.
 - iii. The amended Writ Petition shall be served by the Applicant on the Respondents upon the amendment being carried out.
7. The Interim Application is accordingly disposed of.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]