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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 312 OF 2026
IN
WRIT PETITION NO. 5123 OF 2001

Popat Laxman Yewala And Ors.
(since deceased through heirs) & Ors. ...Applicants/Petitioners
Versus
Sharad @ Sharadchandra Narhari Kulkarni
& Ors. ...Respondents

Mr. Saurabh M. Railkar, for the Applicants.
None for the Respondents.

CORAM : M.M. SATHAYE, J.

DATE : 22nd APRIL, 2026

P.C. :

1. Heard learned counsel for the Applicants/Petitioners. None appears for the Respondents.
2. This application is filed for bringing legal heirs of deceased Respondent No.4 on record. There is stated delay of 4 years and 2 months in filing the application.
3. On 10.03.2026, an advocate appeared for proposed legal heirs of the deceased Respondent No.4 and sought time to file vakalatnama and to take instructions in the matter. The Court granted time but it was clarified if no instructions are taken or no reply is filed, the Court will proceed to hear the application and pass the order.

4. As on today, neither vakalatnama or reply is filed on behalf of proposed legal heirs of Respondent No.4 nor anybody is appearing with appropriate instructions.
5. The proceedings are arising out of dispute under the Bombay Tenancy and Agricultural Lands Act, 1948 and Respondent No. 4 is a purchaser from landlord/s. Therefore it is necessary to bring legal heirs of deceased Respondent No.4 on record. Considering the nature of dispute, the earlier order and further in view of averments in the application, sufficient cause is made out.
6. The application accordingly is allowed. Delay is condoned. Necessary amendment be carried out within a period of 2 weeks from today.
7. Interim application is disposed of in above terms.

(M.M. SATHAYE, J.)