

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1218 OF 2026
IN
WRIT PETITION NO.3105 OF 1995

Smt. Indrarani Ugarsen ... Applicant

In the matter between:

Smt. Indrarani Ugarsen ... Petitioner

V/s.

Dy. Collector (Encro.) And
Competent Authority And Ors. ... Respondents

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RANGNATH
WAHULE

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Mr. Pradeep Thorat i/b Ms. Aditi Naikare, Advocate for Petitioner /
Applicant.

Ms. Vaishali P. Benere a/w. Mr. Kamalakar L. Koli, Advocate for
Respondent Nos.3 to 53.

Mr. Sandip Babar, AGP for State/Respondent No. 2.

CORAM : ABHAY AHUJA, J.

DATED : 5th MARCH 2026

PC.:

INTERIM APPLICATION NO.1218 OF 2026

1. This Interim Application seeks to bring on record the heirs of
deceased Respondent No.35 after condoning the delay of 11 years and
277 days and setting aside the abatement.

2. When the matter is called out, Mr. Thorat, learned counsel
appears for the Applicant, and submits that only recently information

with respect to the death of the Respondent No.35 and the legal representatives were furnished and therefore soon thereafter, the Interim Application has been filed.

3. Ms. Benere, learned counsel appearing for the legal heirs of deceased Respondent No.35 has no objection if the Interim Application is allowed and the legal representatives are brought on record.

4. Having heard the learned counsel and having considered the submissions, this Court is of the view that the delay be condoned, the abatement be set aside, and the legal representatives of the deceased Respondent No.35 as contained in the Interim Application be brought on record.

5. The Interim Application accordingly, stands allowed in terms of prayer clauses (a), (b) and (c) which read thus:-

“(a) That by an Order of this Hon’ble Court, the delay of 11 years 277 days caused in filing the present Interim Application may kindly be condoned.

(b) That by an Order of this Hon’ble Court abatement if any as against the Respondent No.35 be set aside.

(c) That by an Order of this Hon’ble Court, Applicant be permitted to bring the proposed Respondent No.35(a) as Respondent No.35(a) being the heir and legal representative of the deceased Respondent No.35 and be permitted to amend the Cause title in Writ Petition

No.3105 of 1995.”

6. Let the amendments be carried out within a period of two weeks, and the amended proceedings be served within two weeks thereafter and an appropriate affidavit of service be filed.
7. Ms. Benere, learned counsel appearing for the Respondents, waives service.
8. The Interim Application accordingly, stands allowed and disposed as above.
9. List the Writ Petition on **23rd April, 2026**.

(ABHAY AHUJA J.)