

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.2306 OF 2026
IN
WRIT PETITION NO.9129 OF 2019
WITH
WRIT PETITION NO.9129 OF 2019**

Devdatta Balkrishna Mhatre Applicant

IN THE MATTER BETWEEN :

Chandrakant Vasudev Mhatre & Ors. Petitioners

versus

The Office of Controller of
Accommodation & Ors. Respondents

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- Ms. Shaba N. Khan, Advocate for Orig. Petitioner/Applicant in IA.
- Ms. M. S. Bane, AGP for Respondent Nos.1 to 4.
- Ms. Pooja Singh i/b. Mr. Amogh Karandikar, Advocate for Respondent Nos.2 and 3.

**CORAM : SARANG V. KOTWAL &
SANDESH D. PATIL, JJ.**

DATE : 01st APRIL, 2026

P.C. :

1. By the present Interim Application, the Applicant is seeking to delete the name of the Respondent No.2 and to add the name of the Respondent No.2(a) to 2(c) as his legal heirs.

The Petition was filed by the Petitioner challenging the order

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dated 02/01/2016 passed by the of Controller of Accommodation to handover the possession of the said premises to the Respondent No.2. The Writ Petition is pending for admission. During pendency of the Writ Petition, it was informed by the Advocate for the Respondent No.2 that the Respondent No.2 had expired on 21/04/2025 leaving behind the persons named in the application as his only legal heirs. The Death Certificate is attached as Ex.A to the Interim Application.

2. Heard learned counsel appearing for the Applicant. For the reasons mentioned in paragraph Nos.3 and 4 of the Interim Application, the Applicant has made out the case of bringing on record the legal heirs of the Respondent No.2. The delay caused in present Interim Applicant is condoned. The Applicant is permitted to delete the name of the Respondent No.2 and add the name of his wife-2(a) Shumana Nilang Pathare, daughter-2(b) Vaishnavi Nilang Pathare and son-2(c) Loukic Nilang Pathare as his legal heirs.

3. In the light of the aforesaid, the Interim Application is disposed of.

4. Amendment be carried out within a period of two weeks from today. After the amendment is carried out, issue fresh notice to the Respondent Nos.2(a) to 2(c), returnable on 18/06/2026. Writ Petition is stand over to 18/06/2026.

(SANDESH D. PATIL, J.)

(SARANG V. KOTWAL, J.)