

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 3038 OF 2026****IN****WRIT PETITION NO. 14269 OF 2022**

Dilip Krishnaji Odhekar

since Deceased his Legal Heirs

...Applicants

In the matter between

Dilip Krishnaji Odhekar & Anr.

...Petitioners

V/s

Shri Samarth Sahakari Pathpedhi Maryadit & Ors.

...Respondents

Mr. Shriram S. Kulkarni for the Applicants.

Ms. P.J. Gavhane, AGP for the Respondent Nos.3, 4 & 6-State.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.****DATE : 20th April, 2026****P.C.:-**

1) This is an Application for bringing legal heirs of Petitioners on record.

1.1) There is delay of 240 days in bringing the legal heirs of Petitioner No.1 and 4 years, 33 days in bringing the legal heirs of Petitioner No.2, on record.

1.2) It is stated that, the Petitioner No.1 passed away on 17th May, 2025 and Petitioner No.2 on 18th March, 2021.

2) Mr. Kulkarni submitted that, the Petitioner No.1 was infact pursuing the Petition. That, after demise of his wife i.e. Petitioner No. 2, he did not take any steps for bringing the legal heirs on record with a bonafide presumption that, he will pursue the Petition. However, unfortunately, the Petitioner No.1 also passed away on 17th May, 2025. It is in these circumstances that, the present Application has been preferred for bringing legal heirs of Petitioner Nos. 1 and 2 on record and to condone the delay.

3) Perusal of Application will indicate that, sufficient cause is made out for condonation of delay.

4) In view thereof, for the reasons stated in the Application and in the interest of justice the delay is condoned, abetment if any is set aside and Application is allowed in terms of prayer clauses (a), (b) and (c).

5) Necessary amendment in the record of Court and simultaneously in the copies served upon the learned Advocate for Respondents be carried out within a period of two weeks from the date of uploading of this Order on the official website of Bombay High Court.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)