

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

**INTERIM APPLICATION NO. 3548 OF 2026
(NOT ON BOARD. TAKEN ON BOARD)
IN
WRIT PETITION NO. 1975 OF 2001**

Chairman, St. John The Baptist Church & Anr. ...Applicants
Versus
Shri K. O. Jose & Ors. ...Respondents

Mr. Arvind G. Kothari for the Applicants
Mr. Saurabh Mishra for the Respondent No. 1
Ms. Leena Patil, 'B' Panel Advocate for the Respondent-State.

CORAM : M. M. SATHAYE, J.

DATED : 7th MAY 2026

P.C.:

1. Heard learned Counsel for the parties.
2. This is an Application for bringing legal heirs of the deceased Respondent No. 1 on record. The proposed legal heirs of the Respondent No. 1 are shown in the schedule. There is delay of 3 years and 9 months in filing the Application.
3. Learned Counsel for the Applicants pointed out the averments in the Application, wherein it is stated on oath that the though the Respondent No. 1 expired on 07.09.2022, the fact of death came to the notice of the Petitioners (Management) on or about 10/02/2026 when photocopy of the death certificate and details of the legal heirs were served upon the advocate for the Applicant/Petitioner. He further points out that this fact is recorded

in the order of this Court dated 10.02.2026. It is submitted that thereafter appropriate Application is filed as soon as possible.

4. Advocate for Respondent No.1 waives service for the proposed legal heirs. No reply is filed.

5. The Petition is arising out of the order of School Tribunal, which is about re-instatement and back-wages of the deceased Respondent No. 1. Considering the nature of controversy involved, it is necessary that legal heirs are brought on record.

6. In that view of the matter and considering the averments in the application, sufficient cause is made out.

7. The Application is allowed. Delay is condoned. The Applicants/Petitioners are permitted to bring the proposed legal heirs of the Respondent No. 1 on record. Amendment to be carried out on or before 01.06.2026.

(M. M. SATHAYE, J.)