

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3889 OF 2021
IN
WRIT PETITION NO. 7175 OF 2019

Namdeo Punjabi Panagavhane .. Applicant

IN THE MATTER BETWEEN :

Namdeo Punjabi Panagavhane .. Petitioner

Versus

Ranganath Shankar Padol and Ors. .. Respondents

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- Ms. Rukmini Khairnar i/by P.N.Joshi for the Applicant / Petitioner
 - Mr. Jayesh M. Joshi for Respondent No.1
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CORAM : MILIND N. JADHAV, J.
DATE : 15th DECEMBER, 2021

P.C. :

1. Heard learned counsels appearing for the parties.

2. Ms. Khairnar, learned counsel appearing for the Applicant submits that the Respondent No.5 i.e. Kum. Smita Narayan Shelke has expired on 02.10.2018. The Applicant did not have knowledge about the same at the time of filing of the Petition. She submits that the legal heirs of the deceased Respondent No.5 i.e. Respondent Nos. 2 to 4 and Respondent No. 6 are already on record as party Respondents to the Petition.

3. Ms. Khairnar further submits that the deceased Respondent

No.5 was unmarried and the Respondent Nos. 2 to 4 and 6 are the only legal heirs of the said Respondent. Hence, she prays for striking out the name of the deceased Respondent No.5 as party Respondent.

4. For the reasons mentioned in paragraph No.3 of the Interim Application, the Application stands allowed. Delay in filing the Application stands condoned. The name of Respondent No.5 is permitted to be struck of. Respondent No.6 shall be renumbered as Respondent No.5.

5. Amendment to be carried out forthwith. Re-verification is dispensed with. Learned Advocate for Respondent No.1 waive service of the amended Petition. Amended Petition be served on Respondent Nos. 2 to 5.

6. Interim Application stands disposed of in the above terms.

7. Stand over to 21st December, 2021.

[MILIND N. JADHAV, J.]