

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5123 OF 2001
WITH
INTERIM APPLICATION NO. 312 OF 2026

Popat Laxman Yevala And Ors. ...Petitioners
Versus
Sharad Narahari Kulkarni And Ors. ...Respondents

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Mr. S.M. Railkar for the Petitioners.
Mr. Shantanu Patil i/b Shrikrishna Ganbavale for Respondent No.4.

CORAM : ABHAY AHUJA, J.
DATE : 10th MARCH, 2026

P.C. :

1. Mr. Patil learned Counsel appears and submits that he is appearing for the legal heirs of the deceased Respondent No.4 and that some time be granted to file vakalatnama and to take instructions in the matter.

2. Let the vakalatnama be filed within a period of one week and let instructions be taken within a period of two weeks and if necessary reply be filed with a copy to other side.

3. Rejoinder, in a week, thereafter with a copy to other side.

4. List on **22nd April 2026**.

5. It is made clear that if no instructions are taken or no reply is filed, this Court will proceed to hear the application and pass order.

Interim Application (ST) No. 38439 of 2025

1. Learned Counsel appears for the Applicant and submits that although this Court has disposed of said Interim Application by directing fresh issuance of notice to Respondent Nos. 1 and 2 at the address mentioned in paragraph 5 of the application, the Registry is refusing to comply with the said order submitting that without an amendment to the cause title, the order cannot be complied with.
2. This is a curious situation and rather an embarrassing one raised by the Registry. When the order clearly permits issuance of fresh notice to Respondents No. 1 and 2 at the address mentioned in paragraph 5 of the application, the insistence for amendment is rather stubborn. The Registrar (Judicial) is requested to instill some sagacity in the concerned officer while dealing with orders of this Court.
3. However, in order not to inconvenience the litigant and his Advocate, this Court directs that the amendments to the Writ Petition in terms of paragraph 5 of the application be permitted to be carried out.
4. Let the addresses of Respondents No. 1 and 2 contained in the Writ Petition and connected proceeding be amended to include the address mentioned in paragraph 5 of the application.

5. Let the amendment to be carried out within a period of one week. Thereafter, let notices be issued to Respondents Nos. 1 and 2 on the fresh addresses, returnable on 22.04.2026.
6. This Court hopes that the Registry will now not obstruct the implementation of the order of this Court.

(ABHAY AHUJA, J.)