

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1047 OF 1998

Smt. Fatimabibi Giasuddin Daphedar,  
since deceased through LRs ... Petitioners

Versus

Mohamad Aslam Rukmuddin Parkar and others ... Respondents

WITH

INTERIM APPLICATION NO. 11127 OF 2024

IN

WRIT PETITION NO. 1047 OF 1998

.....  
Mr. Sham Thakur instructed by Mr. J.M. Joshi, Advocate for the  
Petitioners.

Mr. A.N. Mulla, Advocate for the Respondents.

.....  
CORAM : ABHAY AHUJA, J.

DATE : 3 OCTOBER 2025

**PC.** :

1. When the matter is called out, Mr. Thakur, learned Counsel, appears for the Petitioners and submits that since the original Petitioner No.1.3 has passed away, the legal heirs of the said deceased Petitioner would have to be brought on record and that the Interim Application No.11127 of 2024 has been filed for the said purpose.

2. Upon a query from this Court, whether the Interim Application has been served upon the legal heirs, Mr. Thakur submits that notice would have to be issued to them.
3. Accordingly, issue notice to all the Respondents in the Interim Application, returnable on 2<sup>nd</sup> December 2025.
4. List on **2<sup>nd</sup> December 2025**.
5. Mr. Mulla, learned Counsel, appearing for the Respondents in the Writ Petition submits that earlier the Writ Petition was dismissed and later on restored, subject to payment of costs, however the said costs have not been paid as yet.
6. Let instructions with respect to the said costs be taken by the next date. If it is found that costs are not paid, the Writ Petition as well as the connected Interim Application to stand dismissed.

**(ABHAY AHUJA, J.)**