

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3517 OF 1989

Nilkanth Kashinath Chaudhary, died,
through LR's and others

PETITIONERS

VERSUS

Yamunabai Purushottam Deogirikar
and others

RESPONDENTS

Mr.P.M.Shah, Sr.Counsel h/f Mr.D.P.Palodkar, Advocate for the
petitioner.

Mr.C.P.Deogirikar, Respondent No.2 in person appearing for
respondent Nos. 1 and 3.

Mr.D.G.Nagode, Advocate for LR's of respondent No.5.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 07/04/2016

PER COURT :

1. Pursuant to the order dated 10/03/2016, learned Advocate Mr.Nagode assures that he would supply the petitioners with the names of the legal heirs of deceased respondent No.5 . He further submits that he is willing to appear on behalf of the said LR's as he has been handed over the Wakalatnama.

2. In the light of the above, learned Advocate Mr.Nagode shall intimate the names of the legal heirs of deceased respondent No.5 to the petitioners within 1 (one) week from today. Thereafter, the said legal heirs shall be brought on record in the writ petition within a week.

3. Mr.Deogirikar, respondent No.2 in person submits that his Second Appeal No.142/1989 has been dismissed by this Court by judgment dated 03/07/2009. Special Leave Petition No.28635/2009 is pending before the Hon'ble Supreme Court posing a challenge to the judgment dated 03/07/2009. He, however, submits that the result of the proceedings before the Hon'ble Supreme Court would not in any way impact his rights or rights of any litigating sides in this pending writ petition and hence this petition can be heard on its own merits notwithstanding the pending SLP.

4. By the consent of the parties and by considering the convenience of Mr.Deogirikar, respondent No.2 party in person, who is appearing on behalf of respondent Nos. 1 and 3 also, stand over to 27/04/2016 at 2.30 p.m.

(RAVINDRA V. GHUGE, J.)