

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1934 OF 2009

Shri Bhupal Balisha Sankpal,
Deceased through legal heirs:
1) Rajlaxmi Bhupal Sankpal & Ors. ...Petitioners

V/s.

Shri Appasaheb Annasaheb Bhosale

...Respondents

.....

Mr.A.B.Borkar for Petitioners.

None for Respondents.

.....

CORAM: A.M.KHANWILKAR, J.

FEBRUARY 27, 2009.

P.C.

1. No interference is warranted in exercise of writ jurisdiction in the fact situation of the present case for the facts noted by the Court below in the impugned order to reject the prayer for permitting the Petitioners to file their written statement. However, it is made clear that this order will not preclude the Petitioners from relying on the written statmeent filed by their predecessor in respect of which they have already

filed purshis to adopt the same. The matter can proceed on the basis of the said written statement, which has been adopted by the Petitioners.

2. Petition disposed of accordingly.

A.M.KHANWILKAR, J.