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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 8454 OF 2015
IN
WRIT PETITION NO.3745 OF 2014

Shaikh Pyarobhai Husainbhai (Died) Through LRs APPLPICANTS

VERSUS

Maharashtra State Electricity Transmission
Company Ltd,.

RESPONDENT

.....
Mr. Ajay Shinde, Advocate for the applicants
Mr. Neha B. Kamble h/f Mr. S. V. Adwant, for the respondent
.....

[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 9th OCTOBER, 2015

ORDER :

1. Learned advocate for the applicant points out that deceased Pyarobhai Husainbhai or the applicant had not preferred any appeal before concerned authority, however, Shaikh Pyarubhai has been impleaded as respondent No.226 in writ petition No. 2546 of 2014. Under the circumstances this application is being filed.

2. Learned advocate for the original petitioner states that this particular fact will have to be verified from record. It is being contended that death certificate had been issued referring to

name "Pyarubhai Husen Shekh" and not "Pyarobhai Husainbhai Shaikh" and as such, the names cannot be said to be exactly tallying. However, the respondent - original petitioner is not in a position to dispute the claim that the applicant cannot stake claim as legal heir of deceased Pyarobhai Hussainbhai. In the circumstances, I deem it appropriate that the application deserves consideration.

3. Accordingly, the application is allowed in terms of prayer clause "E" and stands disposed of.

[SUNIL P. DESHMUKH, J.]

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DATE : 9th OCTOBER, 2015

ORDER :

1. The situation can be resolved if the petitioner puts forth a fresh death certificate along with heirship certificate.
2. Stand over to 16th October, 2015.

[SUNIL P. DESHMUKH, J.]

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