

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 3724 of 2014
IN
WRIT PETITION NO. 7606 OF 2012**

Mahesh S/o Chimanlal Notani ...APPLICANT

versus

The State of Maharashtra and others ...RESPONDENTS

.....
Mr. A.H. Kasliwal, Advocate for applicant
Mr. S.B. Pulkundwar, AGP for respondents
.....

CORAM : K.K. SONAWANE, J.

DATED : 20th SEPTEMBER, 2016

Order :-

1. Heard learned counsel for the applicant and learned Assistant Government Pleader for respondents.
2. Pursuant to the nature of relief claimed as well as the reasons recorded in the application, there would not be any impediment to recall the order passed by this court on 09-05-2013. The order is required to be substituted for requisite modifications about bringing the legal heirs of respondent No. 4 on record. Hence, Civil application is allowed in terms of prayer clauses "B" and "C". The order dated 09-05-2013 passed by this court stands recalled. Delay stands condoned.

3. Application for bringing legal heirs of deceased respondent No. 4 is hereby allowed.
4. Applicant – petitioner to take necessary steps for amendment in the petition.
5. Issue notice to legal heirs of deceased respondent No. 4, returnable on 18-10-2016.
6. Civil application stands disposed of accordingly.

Sd/-

[K. K. SONAWANE, J.]

MTK