

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

4 CIVIL APPLICATION NO.14015 OF 2016
IN
FIRST APPEAL NO. 2499 OF 2010

SHAMSUNDAR RAMVILAS RATHI
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION JALNA
AND ANR

...
Advocate for applicant : Mr.P.A.Bhosale h/f
Mr.Ajeet B.Kale
AGP for Respondent State: Mr. G.O.Wattamwar

...
CORAM : P.R. BORA, J.
Dated: October 19, 2016

...
PER COURT :-

1. Learned Counsel appearing for the applicant submits that in the impugned award, the name of claimant is wrongly mentioned as Shamsunder Ramkishan Rathi and it should be Shamsunder Ramvilas Rathi. Learned Counsel, therefore, submits that for correcting the name, an application is filed before the Reference Court, however, unless record is before the Reference Court, no such correction can be carried out. Learned Counsel, therefore, prayed for sending back the Record and Proceedings of the Land Acquisition Reference No.304/2002.

2. For the reasons stated in the application, the application is allowed. Record and Proceedings be sent back to the Reference Court with further direction that after the application for correction in the name is decided, the Record shall be re-sent to this Court.

(P.R. BORA, J.)

AGP/-