

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

**CIVIL APPLICATION NO. 15707 OF 2016
IN
WRIT PETITION NO. 12033 OF 2016
WITH
WRIT PETITION NO. 12033 OF 2016**

Agaji Anna Jarhad
(Died) Through L.Rs.
Kaduba Agaji Jarhad and Others ..APPLICANTS/PETITIONERS

VERSUS

Bharjabai Shamrao Shejul
(Died) Through L.Rs.
Baburao Shamrao Shejul and Others ..RESPONDENTS

....
Mr. V.J. Dixit, Senior Advocate h/f Mr. S.V. Dixit, Advocate for
applicants/petitioners.
Mr. B.A. Shinde, A.G.P. for Respondent Nos. 4 to 7.
....

**CORAM : T.V. NALAWADE, J.
DATED : 06th DECEMBER, 2016**

ORDER :

1. Heard learned Senior Counsel for applicant/petitioner. He submitted that all the present three respondents are dead and so the notice needs to be issued to the legal heirs of deceased respondents and previous G.P.A. cannot act for deceased respondents. In view of statement made and death certificates produced, application is allowed.

Accordingly permission is granted to make legal heirs as party respondents in the petition.

2. Learned Senior Counsel submitted that due to the order made by the Hon'ble Minister on 09th August, 2016, the petitioners are likely to take possession. Issue notice to respondents, returnable on 21st December, 2016. Learned A.G.P. waives service of notice for Respondent Nos. 4 to 7. Additional notice by R.P.A.D. Private notice is allowed. Hamdast is allowed.

(T.V. NALAWADE, J.)

SSD