

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

958 CIVIL APPLICATION NO. 10710 OF 2010
IN FA/3354/2008

GODAVARI MARATHWADA IRRIGATION DEVELOPMENT CORPORATION
VERSUS
THE STATE OF MAH AND ORS

...
Advocate for Applicant : Mr. T.B. Bhosale
AGP for Respondents: Mr. S.S. Dande

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CORAM : K.K. SONAWANE, J.

DATED : 3rd NOVEMBER, 2017.

Order :-

Heard learned counsel for the applicant-acquiring body. Perused the application.

2. Notices were issued to the respondents. It has been reported that respondent No. 2 Prabhakar Maruti Dubale is no more. Therefore, applicant-acquiring body preferred present application for bringing his legal heirs on record. However, there is delay of four days in bringing legal heirs of deceased respondent No. 2 on record. Hence, applicant prayed to set aside order of abatement of proceedings against respondent No. 2 Prabhakar and allow the applicant-acquiring body to amend the memo of appeal accordingly.

3. In view of submissions advanced on behalf of both sides and as well as reasons mentioned in the application, the same is allowed in terms of prayer clauses 'A-1' and 'B'. Order of abatement of proceedings against respondent No. 2 Prabhakar stands set aside and quashed. Applicant-acquiring body is allowed to bring on record legal heirs of deceased respondent No.2. Amendment be carried out within two weeks from today.

4. Civil Application stands disposed of accordingly.

[K. K. SONAWANE]
JUDGE