

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

CIVIL APPLICATION NO. 3478 OF 2018  
IN  
FIRST APPEAL NO. 1761 OF 2014

Pandhari Nivratti Kasle (died),  
through legal representatives

Shivkanya w/o Suryakant Karmukle  
and others

.. Applicants

vs

The Executive Engineer,  
Minor Irrigation Division, Latur  
and others

.. Respondents

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Mr. Shrikant G. Kawade, Advocate for applicants

Mr. S. S. Sangle, Advocate for respondent no. 1

Mr. A. D. Namde, Asstt. Govt. Pleader for respondent no. 2

CORAM : SUNIL P. DESHMUKH, J.  
DATE : 9th March, 2018

ORDER :

1. Leave to amend.

2. This application has been moved by legal heirs of deceased respondent No. 1 - Pandhari s/o Nivratti Kasle for bringing them on record of first appeal filed by the acquiring body. During pendency of appeal, respondent No. 1 - original claimant died.

3. Learned counsel for appearing parties do not have any particular objection to grant the application.
4. In view of the same, civil application is allowed in terms of prayer clauses (A) to (D).
4. The appellants are permitted to bring on record the legal heirs of deceased respondent No. 1 – original claimant as shown in this civil application.
5. The delay caused in bringing legal heirs of deceased respondent No. 1 in appeal on record of first appeal stands condoned. Abatement of appeal, if any, is set aside.
6. Appellants to carry out amendment to title clause of memorandum of appeal immediately.
7. Civil application is accordingly disposed of.

SUNIL P. DESHMUKH,  
JUDGE

pnd/-

pnd/-