

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

CIVIL APPLICATION NO. 4634 OF 2018
IN WP/5235/2017

PRADIP MADHAV MATE
VERSUS
THE CHIEF OFFICER NAGAR PARISHAD KOPARGAON AHMEDNAGAR
AND OTHERS

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Advocate for the Applicant : Shri Nagarkar Kiran M..
AGP for the Respondents/ State : Shri B.A.Shinde.
Advocate for Respondent 3 : Ms.M.PPatil h/f Shri S.S.Kulkarni.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 22nd June, 2018

Per Court:

1 The Applicant/ Petitioner desires to bring the legal heirs of the deceased Respondent No.9 on record and prays to issue a fresh notice to Respondent No.8.

2 This Court (Coram : V.K.Jadhav, J.) has already vacated the interim relief vide order dated 08.12.2017 as steps were not promptly taken to bring these legal heirs on record.

3 Despite service of a court notice, Respondent No.8 has not appeared in this Civil Application.

4 The learned Advocate for Respondent No.3 strenuously opposes this application for the reason that the legal heirs of Respondent

No.9 were already brought on record in the Trial Court.

5 For the reasons stated in the Civil Application, the same is allowed in terms of prayer clauses B and C subject to the Applicant/ Petitioner paying an amount of Rs.1500/- (Rupees Fifteen Hundred) for the Ghati Hospital, Aurangabad (Government Medical College and Hospital, Aurangabad), to be deposited with the Medical Officer, High Court Dispensary, Aurangabad, either in cash or by Demand Draft, to be drawn in the name of "Dean, Government Medical College and Hospital, Aurangabad CSR Fund" and producing a receipt of such deposit before the Registry of this Court on or before 06.07.2018.

6 After complying with the above directions, the legal heirs of the deceased Respondent No.9 shall be brought on record on or before 13.07.2018 and issue a fresh notice to Respondent No.8 on the new address, returnable on 07.08.2018.