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

CIVIL APPLICATION NO.11349 OF 2018 IN
FIRST APPEAL NO.1186 OF 2018

Parwatabai Gangaram Pawar,
Died through L.Rs.
Sharad Gangaram Pawar & ors. ... APPLICANTS

VERSUS

Marathwada Krishi Vidyapeeth & anr. ... RESPONDENTS

.....
Shri A.D. Soman, Advocate for applicant
Shri MN. Navandar, Advocate for respondent No.1.
Shri G.O. Wattamwar, A.G.P. for respondent No.2
.....

CORAM: PRASANNA B. VARALE AND
MANISH PITALE, JJ.

DATED : 21st SEPTEMBER, 2018.

ORAL ORDER :

1. By the present application, the applicant prays firstly for condonation of delay caused in filing the Civil Application and secondly, permitting the legal representatives to be brought on record. The appeal is filed by Marathwada Krushi Vidyapith, Parbhani. The original landlord and claimant was Mr. Gangaram Kishan Pawar. At the stage of appeal, Gangaram Pawar expired and Parvatabai Gangaram Pawar, Prabhakar Gangaram Pawar, Sharad Gangaram Pawar and Suresh Gangaram Pawar are the

legal representatives referred to in the title clause of the Appeal, survived through Gangaram Kishan Pawar.

2. It is submitted by Mr. Soman that, during the pendency of appeal, Parwatabai Gangaram Pawar as well as Prabhakar Gangaram Pawar expired. The respondent No.3 and 4, who are the sons of Parwatabai are already brought on record. In view of this fact, the learned counsel Mr. Soman prays for deletion of name of Parwatabai from the array of respondents and permitting the applicants to bring on record legal heirs of Prabhakar Gangaram Pawar namely Tapeshwari w/o Prabhakar Pawar, Rajesh Prabhakar Pawar and Sunil Prabhakar Pawar. This being a formal prayer, no prejudice is going to be caused to the appellant. The learned counsel submitted that the delay caused in filing this application is due to inadvertence and for bonafide and unintentional reasons. Resultantly, the applications are disposed of with permission to the applicants to bring legal heirs of Prabhakar on record namely Tapeshwari w/o Prabhakar Pawar, Rajesh Prabhakar Pawar and Sunil Prabhakar Pawar by deleting name of respondent No.1 Parwatabai from the array of respondents. The necessary steps be taken within one week. Civil Application No.11349/2018 stands disposed of.

3. Mr. Navandar, the learned counsel for appellant orally prays for amendment to the title clause of the First Appeal. Mr.

Navandar submits that, as the facts are taken from the record of the lower Court, the age of respondent No.4 is shown as 101 years. The learned counsel orally prays for correction of the age of respondent No.4. Mr. Navandar submits that, as per his instructions, the age of respondent No.4 is 54 years. In view of this submission of Mr. Navandar, the oral prayer is allowed. Necessary amendment be carried out within one week from today.

(MANISH PITALE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

fmp/-