

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

**CIVIL APPLICATION NO. 974 OF 2018
IN
FIRST APPEAL NO. 132 OF 2018**

Nagnath Limbaji Pandhare (Died) through
L.Rs. Kanhopatra and others ... Applicants
Versus
The Executive Engineer, Irrigation Project,
Majbutikaran Division, Omerga and others ... Respondents
.....
Mr. L. C. Patil, Advocate for applicants.
Mr. S. B. Bhosale, Advocate for respondent No. 1
Mr. A. M. Phule, AGP for respondent No.2

.....
**CORAM : SUNIL P. DESHMUKH, J.
DATED : 6th MARCH, 2018.**

Order :-

1. This application has been moved by legal heirs of deceased claimant for bringing them on record of first appeal filed by the acquiring body. During pendency of appeal, respondent No. 1 original claimant died.
2. Learned counsel for appearing parties do not have any particular objection to grant the application.
3. In view of the same, civil application is allowed in terms of prayer clauses (C) and (D).
4. The appellant is permitted to bring on record the legal heirs of deceased respondent No. 1 – original claimant as shown in this civil application.
5. The abatement of appeal, if any, is set aside.
6. The delay, if any, caused in bringing legal heirs of deceased respondent No. 1 in appeal on record of first appeal stands condoned.
7. Appellant to carry out amendment to title clause of appeal memo immediately.

Sd/-

**[SUNIL P. DESHMUKH]
JUDGE**