

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

CIVIL APPLICATION (CAO) NO.1933/2018 IN
CROSS OBJECTION NO.100/2017 IN
FIRST APPEAL NO.372/2017

Deepak Punjabrao Thakare and others.

Vs.

The Executive Engineer, Bembla Project, Division, Yavatmal and others.

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri S.A. Chaudhari, Counsel for the respondent Nos. 1 to 4.
Shri M.A. Kadu, Counsel for the appellant.

CORAM: ARUN D. UPADHYE, J.
DATE: 21-11-2018.

Heard learned Counsel for the parties.

The cross-objector No.1 is absconding since 7.3.2010. The legal heirs of cross-objector no.1 has obtained succession certificate (legal heirship certificate) from the learned Civil Judge, Junior Division, Babhulgaon, Dist. Yavatmal dated 4.5.2018.

The said legal heirship certificate is annexed in this application. In view of the above facts and circumstances, the legal heirs of cross-objector No.1 could be substituted.

The legal representatives of Deepak Thakare be substituted for cross-objector No.1.

The necessary amendment be carried out forthwith.

The learned Counsel for the appellant has submitted that in view of the order passed in this application, the appellant may be permitted to carry out the amendment in the memo of appeal and correct the name of respondent No.1 to substitute his legal heirs.

Permission is granted.

The civil application is allowed.

JUDGE

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