

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

**962 CIVIL APPLICATION NO.6314 OF 2019
IN FAST/28492/2015**

**BHASKAR BALU KHAMGAL AND ORS
VERSUS
THE EXECUTIVE ENGINEER, KUKADI LEFT BANK CANAL, SUB-
DIVISION, KOLWADI AND ORS**

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Mr. A.A. Nimbalkar, Advocate for applicant No.1.
Mr. Shoyab Shaikh, Advocate for applicant Nos.2A to 2D.
Mr. G.B. Rajale, Advocate for respondent No.1.
Mr. P. M. Kulkarni, AGP for respondent No.2 and 3/State.

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 28th JUNE 2019

ORDER :

1. Present application has been filed by the original respondent in the First Appeal to bring the legal representatives of respondent No.4 in appeal on record.
2. Issue notice to the respondents. Learned AGP waives service of notice for respondent Nos. 2 and 3 and learned Advocate Mr. G.B. Rajale waives service of notice for respondent No.1.
3. In fact, when respondent No.4 in the appeal had expired it would have been the duty of the present respondents in the application who are the appellants to bring the legal heirs of respondent No.4 on record, however, this application is filed by those legal heirs as well as

respondent No.3, who is helpful to the present respondents.

4. Under such circumstance, the application is allowed.

5. Legal representatives of respondent No.4 i.e. present applicant Nos.2-A to 2-D be brought on record. Appellants to carry out necessary amendment within a period of 14 days.

6. Civil Application stands disposed of accordingly.

(Smt. Vibha Kankanwadi, J.)

Shubham/