

(1)

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

**CIVIL APPLICATION NO. 5958 OF 2018
IN
WRIT PETITION NO. 1145 OF 2017**

Bhagwan s/o Anantrao Chate
died through L.Rs.

Bhamatai @ Asha Bhgwanrao Chate,
Age: 68 years, Occ: Household,
R/o. Ahmedpur, Dist. Latur & ors

..APPLICANTS

VERSUS

The State of Maharashtra & Ors.

..RESPONDENTS

Mr V.R. Kodale, Advocate h/f Mr V.D. Gunale, Advocate for applicants;
Mr. K.N. Lokhande, A.G.P. for respondent/State

**CORAM : PRASANNA B. VARALE
AND
S. M. GAVHANE, JJ.**

DATE : 15th February, 2019

ORAL ORDER:

Heard the learned Counsel for the applicants.

2. Learned Counsel appearing for the applicants submits before us that during the pendency of the writ petition, the petitioner expired. He further submits that though the applicants could not place on record the death certificate, the applicants have placed on record the legal heir ship certificate at Exhibit-CA-1.

3. Perusal of this document shows that petitioner Bhagwanrao

(2)

Anantrao Chate expired on 29th January, 2018 leaving behind him heirs, namely, Bhimabai @ Asha Bhagwanrao Chate, Deepak Bhagwanrao Chate, Suhas Bhagwanrao Chate, Jyoti Bhagwanrao Chate and Swati Bhagwanrao Chate. Learned Counsel also placed on record a copy of heirship certificate issued by learned Joint Civil Judge, Junior Division, Ahmedpur, same is taken on record and marked 'X' for identification.

4. Learned Counsel for the applicants then orally prays for amendment to the application by correcting name of applicant No.1-A and submits that inadvertently, it is referred to as 'Bhamabai' in stead of 'Bhamatai'. Oral prayer for correction is allowed. Amendment be carried out during the course of the day.

5. The civil application is allowed in terms of prayer clause (B). Amendment be carried out within one week from today.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)