

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

957 CIVIL APPLICATION NO. 1242 OF 2020
IN CA/14171/2019 IN FA/65/2020

TATYA DAMU DHANAWATE AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for Applicants : Mr. Abhijit B. Kale
AGP for Respondents No. 1 and 2 : Mr. P.M. Kulkarni
Advocate for Respondent No. 3 : Mr. D.V. Soman
...

CORAM : K.K. SONAWANE, J.

DATED : 05th MARCH, 2020.

ORDER :-

1. Heard learned counsel for appearing parties.
2. Perused the application. Present application is filed by the applicants-original claimants for deletion of name of applicant No. 2 - Vilas Tatya Dhanawate from the array of applicants in title clause of Civil Application No. 14171 of 2019. It has been contended that inadvertently name of applicant No. 2 - Vilas Tatya Dhanawate was shown in title clause of Civil Application No. 14171 of 2019 in First Appeal Stamp No. 32879 of 2017.
3. According to applicants, applicant No. 2 -Vilas Tatya Dhanawate was not party to the proceedings of LAR No. 124 of 2007, against which present appeal came to be filed by the Acquiring Body. Therefore, he requested to allow the applicants to delete name of "Vilas Tatya Dhanawate" from the array of applicants in Civil Application No. 14171 of 2019.
4. In view of reasons mentioned in the application and submissions advanced on behalf of learned counsel for the applicants, present application deserves to be allowed.
5. Accordingly, Civil Application is allowed in terms of prayer clause "B". The applicants are hereby permitted to delete the name of

applicant No. 2 - Vilas Tatya Dhanawate from the title clause of Civil Application No. 14171 of 2019 in First Appeal Stamp No. 32879 of 2017 at their risk and peril. Necessary amendment be carried out forthwith.

6. Present Civil Application stands disposed of. No order as to costs.

Sd/-

[K. K. SONAWANE]
JUDGE

MTK