

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

934 CIVIL APPLICATION NO.2990 OF 2020
IN FA/3208/2018

MAHADEV RANGNATH KHOTE AND ORS
VERSUS
THE EX. ENGINEER, IRRIGATION PROJECT DIVISION BEED THR
G.M.I.D.C., AURANGABAD AND

...
Advocate for Applicants : Mr. Vilas P. Savant
Advocate for Respondent No. 1 : Mr. Ganesh Jadhav h/f
Mr. M.C. Swami
AGP for Respondent No. 2 : Mr. P.M. Kulkarni
...

CORAM : K.K. SONAWANE, J.

DATED : 05th MARCH, 2020.

ORDER :-

1. Heard learned counsel for appearing parties.
2. Present application is filed by the applicants-original claimants seeking correction in the name of applicant No. 3 in title clause of Civil Application No. 13838 of 2019 for withdrawal of compensation amount. It has been submitted that in title clause of aforesaid application, inadvertently name of applicant No. 3 was mentioned as "Mahesh Mahadev Khote" instead of "Umesh Mahadev Khote".
3. Learned counsel for the applicants submits that applicants-claimants moved Civil Application No. 13838 of 2019 for withdrawal of 50% compensation amount deposited in this case. However, in title clause of said application name of applicant No. 3 is mentioned as "Mahesh Mahadev Khote" instead of "Umesh Mahadev Khote", which was also mentioned in the award passed by the learned Reference Court. According to learned counsel, in view of error in the name of applicant No. 3, the applicants are not allowed to withdraw the amount from this Court. Therefore, applicants moved present application seeking correction in title clause by requisite amendment.
4. In view of aforesaid submissions, there is no impediment to allow the applicants to get corrected the name of applicant No. 3 as "Umesh Mahadev Khote" instead of "Mahesh Mahadev Khote" in Civil Application No. 13838 of 2019. Definitely, it would sub-serve the purpose for

withdrawal of the amount as per order passed by this Court on 05-12-2019.

5. Accordingly, present Civil Application is allowed in terms of prayer clause "B". The applicants are hereby permitted to get correct the name of applicant No. 3 as "Umesh Mahadev Khote" instead of Mahesh Mahadev Khote" in title clause of the Civil Application No. 13838 of 2019. The requisite amendment be carried out forthwith.

6. The civil application stands disposed of in above terms. No order as to costs.

Sd/-

[K. K. SONAWANE]
JUDGE

MTK