

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

957 CIVIL APPLICATION NO.255/2020 IN FAST/22108/2016

KASIM HUSSAIN MULLA
DIED THROUGH LRS
HUSAIN KASIM MULLA AND OTHERS
VERSUS
EXECUTIVE ENGINEER LOWER TERNA PROJECT DIVION,
LATUR THROUGH EXECUTIVE ENGINEER LATUR AND ANOTHER.

...
Advocate for Applicants : Mr. Sharad S. Halkude.
Adv. for Respondents: Mr. S.S. Sangle.

CORAM : K.K. SONAWANE, J.

DATE : 14TH JANUARY, 2020.

PER COURT:

Heard learned counsel for the applicant and learned counsel for respondent Acquiring Body.

Perused the application. The applicant preferred the present application seeking leave to substitute themselves as party respondents in the proceeding of appeal filed by the appellant acquiring body against the impugned judgment and award passed by the learned Reference Court in LAR No. 74 of 2010. It has been contended that the applicants are legal heirs of deceased respondent namely Kasim Hussain Mulla, He passed away on 16.8.2014. The applicants have also obtained Heirship certificate from the concerned civil court, Nilanga. Copy of Heirship certificate is produced on record. Same is taken on record and marked "X" for identification.

Learned counsel for respondent Acquiring Body fairly conceded to pass suitable orders.

In view of attending circumstances on record, there is no impediment to allow the application to bring LRs of deceased Kasim Hussain Mulla, on record being his legal heirs. Therefore, the applicants are permitted to substitute themselves as party respondent in the proceeding filed on behalf acquiring body. Hence, the application stands allowed. The learned counsel for Acquiring Body to carry out the amendment within a period of two weeks.

List the matter for further process on 30th January, 2020.

[K.K. SONAWANE]
JUDGE.

Grt/-.