

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

**CIVIL APPLICATION NO. 1023 OF 2021
IN
FIRST APPEAL ST. NO. 10191 OF 2019**

**GODHAVARI MARATWADA IRRIGATION DEVELOPMENT CORPORATION,
AURANGABAD VS. PHULABAI W/O. BHIVA KAMBLE DIED THROUGH
LRS AND ANR.**

Mr.R.D. Biradar, Advocate for the applicant.
Mr.S.Y. Patil, Advocate for respondent Nos.1/1 and 1/2.
Mr.A.A. Jagatkar, AGP for respondent/State.

**CORAM : V.L.ACHLIYA,J.
DATED : 19.01.2021**

P.C. :-

01. Heard. In brief, it is contention of learned counsel for the applicant-appellant that deceased respondent No.1/3 - Manubai Tulsiram Lamture died on 13.12.2020 leaving behind respondent Nos.1/3/1 and 1/3/2 as her legal representatives. Copy of death certificate of deceased respondent No.1/3 is produced on record. It is submitted that in order to prosecute the appeal, it is necessary to bring legal representatives of said respondent No.1/3 on record. It is further submitted that the parties have decided to settle the matter and urged to allow the application.

02. Learned counsel representing deceased respondent No.1/3 submitted that he has received instructions to appear in the matter for the legal representatives of deceased respondent No.1/3 and undertakes to file Vakalatnama during the course of the day. He further submits that the respondents have no objection to make respondent Nos.1/3/1 and 1/3/2 as party respondents and allow the application.

03. Considering the reasons assigned, the application is allowed in terms of prayer clause (B). Necessary substitution be carried out during the course of the day.

[V.L.ACHLIYA,J.]