

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 1022 OF 2021
IN
FIRST APPEAL ST. NO.10266 OF 2019

GODHAVARI MARATWADA IRRIGATION DEVELOPMENT CORPORATION,
AURANGABAD VS. BABU TATYARAO KHARADE DIED THROUGH LRS.
AND ANR.

Mr.R.D. Biradar, Advocate for the applicant.
Mr.S.Y. Patil, Advocate for R-1/1 to 1/4.
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.1/1 – Vaijanath Babu Kharabe died in 2015 leaving behind respondent Nos.1/1/1 and 1/1/2 as his legal representatives. It is submitted that in order to prosecute the appeal, it is necessary to bring legal representatives of said respondent No.1/1 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.1/1 submitted that he has received instructions to appear in the matter for the legal representatives of

deceased respondent No.1/1 and undertakes to file Vakalatnama during the course of the day. He further submits that the respondents have no objection to make respondent Nos.1/1/1 and 1/1/2 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.]