

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

**903 CIVIL APPLICATION NO.2110 OF 2021
IN WP/2224/2018**

DEVIDAS KRISHNA SURWASE DECEASED THR. LRS SHIVKANTA
DEVIDAS SURWASE AND OTHERS

VERSUS

HARIBHAU MARUTI MURUMKAR DECEASED THR. LRS BALIKA
HARIBAHU SHINDE AND OTHERS

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Advocate for Applicants : Shri L.H.Kawale h/f.
Shri Manoj D.Shinde

Advocate for Respondent : Shri P.K.Deshmukh

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CORAM : M.G.SEWLIKAR, J.

DATE: 11th August, 2021

PER COURT:-

1. Shri P.K.Deshmukh, learned counsel has lodged appearance for legal heirs of the respondent (sole). He states that in paragraph No.2, the applicants have alleged that the counsel for respondent has not supplied copies of death certificate along with legal heir certificate. He submits that it is not the job of Advocate to supply copy of death certificate. It is the job of Gram Panchayat or concerned local authority.

2. Shri L.H.Kawale, learned counsel holding for Shri M.D.Shinde, learned counsel for the applicants seeks leave to delete the aforesaid allegations and other related allegations. He also seeks leave to amend prayer clause-'B'.

3. Leave to amend is granted.
4. Shri Deshmukh, learned counsel for the respondents has no objection to bring the legal heirs on record.
5. In view of this, delay is condoned. Abatement is set aside. Legal heirs be brought on record. Consequential amendment be carried out forthwith.
6. Civil application is disposed of.

(M.G.SEWLIKAR)
JUDGE

SPT