

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

918 CIVIL APPLICATION NO.3438 OF 2019
IN FA/65/2016 WITH CA/3437/2019 IN FA/1243/2013 WITH CA/9232/2021 IN
FA/65/2016 WITH CA/9233/2021 IN FA/1243/2013

GOROBA MUKINDA WAGHMARE DIED THR LRS SITABAI AND ORS
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR OSMANABAD

Mr M.S. Deshmukh, Advocate h/f Mr Vivekanand V. Ingale, Advocate for
applicants

Mr P.M. Kulkarni, A.G.P. for respondent/State

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 9th DECEMBER, 2021

PER COURT :

1. These are the applications moved by the applicants to substitute certain grounds in the appeal memos.
2. Heard Mr M.S. Deshmukh, learned Advocate holding for Mr Vivekanand V. Ingale, learned Advocate for applicants and Mr P.M. Kulkarni, learned A.G.P. for respondent/State.
3. On perusing the record, it is noticed that both the first appeals are admitted. Now, the appellants are seeking to substitute certain grounds by way of amendment.
4. Mr Kulkarni, learned A.G.P. for the State though opposed to allow these applications, I do not find any force in the objection. The respondent/State has right to defend those grounds and no prejudice would be caused to the State/respondent.

ORDER

- (i) Both the Civil Applications are hereby allowed in terms of prayer clause (B).
- (ii) After carrying out the amendment, the copy of appeal memo be served on A.G.P.
- (iii) Both the Civil Applications disposed of accordingly.
- (iv) List the matters on 13th January 2022.

(SHRIKANT D. KULKARNI, J.)

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