

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

937 CIVIL APPLICATION NO.4755 OF 2021
IN FA/2298/2020

DEVIDAS CHINDHU PATIL AND ORS

VERSUS

THE EXECUTIVE ENGINEER,
MINOR IRRIGATION DIVISION, JALGAON AND OTHERS

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Mr. V.P. Patil, Advocate for applicants

Mr. A.D. Pawar, Advocate for respondent Nos.1 and 2

Mr. P.M. Kulkarni, AGP for respondent Nos.3 and 4

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 23rd JUNE, 2021.

PER COURT :

1 Perused the report filed by learned Registrar (Judicial), in view of the order passed by this Court on 15.06.2021. It appears that applicant No.4-C Manisha Vilas Patil has conveniently changed her name sometimes to Manisha Vilas Choudhari. In fact, she ought to have taken up a proper procedure. In fact, when her plaint to the reference Court is considered, which was Land Acquisition Reference No.733/2010, then she had given her surname as 'Patil'. At any point of time, there appears to be no attempt by

her to get her name corrected before the reference Court itself. Now, when the amount has been deposited, she is coming with a case that her real surname is 'Choudhari' and wants to get the corrections accordingly, in view of the fact that her Aadhar card and Bank record is under the name 'Manisha Vilas Choudhari'. In fact, this game of convenience could not have been allowed by this Court, when the party all the way represented itself under a particular name before the reference Court. If we consider the General Power of Attorney, which she had executed, then also it can be seen that it was executed in the name of 'Manisha Vilas Patil', but she has signed it as 'Manisha Vilas Choudhari'. This Court has very strong feelings for such applicants, however, only because of that the further proceedings should not be held up and when already the order regarding disbursement has been passed by this Court and the learned Advocate for the acquiring body has no objection, the application stands disposed of in terms of prayer clause "B". However, for such representation and taking time of the Court the applicant No.4-C should deposit amount of Rs.1,000/- to the High Court Legal Services Sub-Committee, Aurangabad, within a period of one week, then to get the amount as per the earlier order passed by this Court.

(Smt. Vibha Kankanwadi, J.)