

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

930 CIVIL APPLICATION NO.2861 OF 2022
IN FA/650/2013

AZODABAI KATRULAL SOMANI (DIED) THR LRS RADHESHYAM S/O
KACHRULAL SOMANI
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR, JALNA AND ORS

Mr D.M. Kakade, Advcoate for applicant
Mr P.M. Kulkarni, A.G.P. for respondents no.1 and 2
Mr S.C. Arora, Advocate for respondent no.3

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 11th March, 2022

PER COURT :

1. It is an application seeking permissioin to bring on record legal heir of original claimant with condonation of delay.
2. Heard Mr D.M. Kakade, learned Advocate for applicant, Mr P.M. Kulkarni, learned A.G.P. for respondents no.1 and 2 and Mr S.C. Arora, learned Advocate for respondent no.3.
3. Mr P.M. Kulkarni and Mr S.C. Arora strongly opposed to allow this application on the ground that the applicant has caused condiserable delay in moving the present application. Both of them have urged to reject this application.
4. Mr Kakade, learned Advocate for applicant submitted that the delay was not intentional. The applicant is a farmer. After obtaining heirship certificate, he has moved this application to bring his name on record as a legal heir of original claimant.
5. I have considered the submissions of learned Advocates for respective parties and having regard to the nature of dispute between the parties, it is necessary to allow this application.

ORDER

- (i) The Civil Application is hereby allowed in terms of prayer clauses (A) and (B).
- (ii) The appellant shall bring on record the legal heir of original claimant by making necessary amendment in the array of appeal memo and provide amended copy to the other side.
- (iii) The Civil Application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)

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