

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

919 CIVIL APPLICATION NO.6681 OF 2022
IN FA/2742/2019

HASAN BABULAL SHAIKH (SINCE DIED) THR LRS AMINA W/O
HASAN KHAN AND ORS
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR,
OSMANABAD AND ORS

...
Advocate for Applicants : Mr. Doke Kishor R
AGP for Respondents: Mr. A. B. Chate
...

**CORAM : S. G. DIGE, J.
DATE : 08.06.2022**

PER COURT :-

Heard the learned counsel for the applicants and learned counsel for the respondent.

2. Learned counsel for the applicants submits that the deceased was original respondent in this appeal. During pendency of this appeal, the sole respondent is died. This fact was informed to the learned A.G.P to bring heirs and legal representatives of deceased sole respondent on record but the learned A.G.P has not taken any steps, hence heirs and legal representatives of sole respondent have taken out this application to bring them on record as their father was

respondent in the appeal.

3. Learned A.G.P submits that as respondent is died during the pendency of this appeal, this application is preferred by his legal heirs. Learned A.G.P points out that there is change in the middle name of the deceased in the death certificate.

4. Learned counsel for the applicant submits that the deceased was known by two names but he is the same person though the middle name is changed and this fact is stated on oath in the affidavit filed by the applicant.

5. Considering aforesaid reasons present Civil Application is allowed in terms of prayer clause 'C'. The appellant is directed to carry out the amendment within two weeks.

Stand over to 27th July 2022.

(S.G. DIGE, J)
JUDGE

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