

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

CIVIL APPLICATION NO.2946 OF 2022 IN FA/1178/2020

**DHONDIBA TULSHIRAM SURVASE (DIED) THROUGH LRS.
SUNITA DHONDIBA SURVASE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND OTHERS**

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Mr. L.C. Patil, Advocate for the Applicants
Mr. A.B. Chate, AGP for Respondent Nos. 1 and 2
Mr. Jeevan R. Patil, Advocate h/f Mr. G.B. Rajale, Advocate for
Respondent No.3

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CORAM : SHRIKANT D. KULKARNI, J.

DATE : 02nd MARCH, 2022

PER COURT:-

1. It is an application moved by the applicants / original claimants seeking directions to the appellant / acquiring body to bring on record the legal heirs of deceased Dhondiba Tulshiram Survase.

2. Heard Mr. L.C. Patil, learned counsel for the applicants / original claimants, Mr. Deshmukh, learned AGP for respondent nos. 1 and 2, and Mr. Jeevan Patil holding for Mr. G.B. Rajale, learned counsel for respondent no.3 / acquiring body.

3. The original claimant Dhondiba Tulshiram Survase died on 15.07.2016. His legal heirs are shown in para no.2 of this application.

4. Having regard to the nature of dispute, this application needs to be allowed by condoning the delay in order to decide the appeal on its own merits.

ORDER

(i) The application is hereby allowed.

(ii) The appellant / acquiring body shall bring on record the legal heirs of original claimant Dhondiba Tulshiram Survase by making necessary amendment in the array of appeal memo and furnish the copy of amended appeal memo to the learned counsel for the applicants / original claimants as well as the learned AGP for State.

(iii) This order be complied within three weeks from today.

(iv) The civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI]
JUDGE

S.P. Rane