

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

**CIVIL APPLICATION NO.10740 OF 2022
IN CAST/8324/2021**

**SATISH RAMBHAU DEVADE
VERSUS
PRAMILA DATTATRAYA SHEVGE DEAD, LRS. SHARDA MURLIDHAR
KULKARNI AND OTHERS**

...
Advocate for Applicant : Mr. G. K. Naik-Thigle
Advocate for Respondent Nos.1 and 2 : Mr. M. M. Patil-Beedkar
Advocate for Respondent No.5 : Mr. Mayur Subhedar h/f. Mr. C.V. Dharurkar
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CORAM : BHARAT P. DESHPANDE, J.

DATED : 29th JULY 2022

PER COURT :

Heard learned advocate for applicant. Learned advocate for respondent Nos.1 and 2 and learned counsel for respondent no.5 are present.

2. This is an application for restoration of Civil Application (St.) no. 8324 of 2021 the registration of which was rejected by the order passed by the Registrar (Judicial) of this Court dated 17th November 2021.

3. Learned counsel for the applicant pointed out that he filed the said application for bringing legal heirs of deceased respondent no.1 on record. However, in death certificate produced on record, there is slight variation in certificate of the deceased and only on that count registration was refused.

4. Learned counsel for applicant submits that other details of respondent no.1 in the death certificate are the same including her father's name and address etc. and that the applicant cannot be blamed on such variation in the name of death certificate, which is issued by Municipal Council Authorities, Beed.

5. The record shows that objections were raised by the Registry and thereafter applicant failed to satisfy the Registry with regard to such objections. It shows that the application has been rejected on very technical ground and that too when the applicant cannot be blamed for such variation in the surname, which appears to be very minor.

6. In view of this, application stands allowed as per prayer clauses (B) and (B-1).

7. Civil Application (St.) No.8324 of 2021 be placed for registration.

(BHARAT P. DESHPANDE, J.)