

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

**31 CIVIL APPLICATION NO.8370 OF 2022
IN FA/1177/2021 WITH X-OBJ/64/2022 IN FA/1177/2021**

**DHAMMAJYOTI WD/O ASHOK GAIKWAD AND OTHERS
VERSUS
THE EX. ENGINEER, MINOR IRRIGATION DIV. LATUR AND OTHERS**

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Advocate for Applicants : Mr. Shakil U. Shaikh h/f.
Mr. Biradar R.D.

AGP for Respondents – State : Mr. P. M. Kulkarni
Advocate for Respondent No.1 : Mr. B.R. Surwase
Advocate for Respondent Nos. 4A to 4E : Mr.Sakolkar
and Mr.H.B. Nandgawale
...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 19/12/2022.

PER COURT :

Heard rival submissions. Leave to correct the number of First Appeal from Stamp No.19733/2012 to First Appeal No. 1177/2021.

2. This is an application filed by legal representatives of deceased Ashok Gaikwad, who were in fact the legal heirs of original claimant Bhagwan s/o Dhondiba Gaikwad. The name of Ashok Gaikwad was not brought on record before the learned Reference Court. However, the other legal heirs of Bhagwan s/o Dhondiba Gaikwad, who are the present respondent Nos. 4-A to 4-E did not dispute their relationship with deceased Ashok Gaikwad or the present applicants.

3. In view of the above, the application of applicants being the legal heirs of original claimant -Bhagwan, stands allowed and the appellant -Acquiring Body is directed to make the applicants as respondent Nos. 5 to 8 in the main appeal. Further the applicants be made party respondents in Cross objections No. 64/2022.

4. The necessary amendment be carried out within stipulated period. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-