

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

CIVIL APPLICATION NO. 10959 OF 2022
IN
FIRST APPEAL NO. 1900 OF 2022

RAJARAM DALSING LADWAL AND ANR
VERSUS
THE EX. ENGINEER, IRRIGATION DIV. AURANGABAD AND ANR

...
Advocate for Applicants : Mr. Pahune Patil S.n.
AGP for Respondent No.2: Mrs. D. S. Jape
Advocate for Respondent No.1 : Mr. S.M.. Ganachari
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CORAM : S. G. DIGE, J.
DATE : 17.08.2022

PER COURT :-

Heard learned counsel for the applicant and learned counsel for respondent No.1.

2. Learned counsel for the applicant submits that, applicant No.2's name is Jairam Rajaram Lodwal, but in the proceeding before Reference Court, his name was mentioned as Jairam Rajaram Lodwal. The applicant No.2 did not notice this fact while the proceeding was pending before the Reference Court. For the first time applicant came to know about this fact when this Court has permitted to withdraw the amount deposited by respondent No.1. Hence requested for correction of name.

3. Learned counsel for respondent No.1 strongly objected to allow the application on the ground that applicant No.2 should have corrected his name before the Reference Court. Hence requested to dismiss the application.

4. I have heard both the learned counsel. Perused the certificate issued by Gram Panchayat, Malegaon (K) Salegaon, Tq. Vaijapur, District Aurangabad. It shows that, Jaylal Rajaram Loadwal and Jayram Rajram Loadhwal is one and the same person. Applicant No.2 has stated on oath that, he is the same person but inadvertently his name was mentioned as Jayram before the proceeding of Reference Court.

5. Considering the submissions of both the learned counsel and reasons mentioned in the application, the application is allowed in terms of prayer clause 'B'. Applicant to carry out amendment within two weeks.

**(S.G. DIGE,)
JUDGE**

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