

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

944 CIVIL APPLICATION NO.11040 OF 2021
IN FA/1275/2017

SYED DURDANABEGUM ABUSAYEED MASHAYAK AND OTHERS
VERSUS
GODAWARI MARATHWADA IRRIGATION DEVELOPMENT
CORPORATION THR THE EXECUTIVE ENGINEER AND ANOTHER

...

Advocate for Applicants : Ms. A. N. Ansari
AGP for Respondent Nos. 2 & 3: Mr. S. R. Yadav

....

CORAM : SANDIPKUMAR C. MORE, J.
DATED : 11/08/2022.

....

P. C. :

1. The applicants, who are the legal heirs of respondent No.1 Sayed Abu Sayeed s/o Abdul Rashid Mashayak, have filed this application for bringing themselves on record as Sayeed Abu Sayeed has expired on 17/06/2021 as per the death certificate annexed with the application.

2. The learned AGP strongly opposed the application on the ground that some office objections are there, wherein it is stated that last name of the father on the death certificate is not mentioned and title and prayer clause "B" of the application are not drafted correctly.

3. However, on going through the office objections in the light of pleading in the application, nothing adverse is there. Further, it was the duty of the appellants to bring the Legal heirs of deceased claimant i.e. respondent No.1 on record. In view of the same, the

application stands allowed and the appellant are directed to bring the legal heirs of the deceased respondent No.1 as stated in clause “B” in the application within stipulated period. The amendment be carried out accordingly.

4. Civil application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)

VS Maind/-