

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

**905 CIVIL APPLICATION NO.13239 OF 2022
IN FA/139/2021**

**PRAKASH ZAVARU PATIL AND OTHERS
VERSUS
THE EX. ENGINEER, HATNUR PROJECT DIV. NOW OFFICE
AT L.T.P.D. AMALNER AND OTHERS**

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Mr. Ajeet B. Kale, Advocate for the applicants.
Mr. A.A. Jagatkar, A.G.P. for respondent Nos.2 and 3.
Mr. S.S. Chillarge, Advocate for respondent No.1.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 20.09.2022.

ORDER:-

. The applicants are claiming permission to bring legal heirs of deceased Gopichand Uttam Patil, who is original respondent No.5 in the appeal, on record. Admittedly, as per death certificate, Gopichand died on 03.01.2020 and thus there is delay of 172 days. However, considering the right to defend, the delay of 172 days stands condoned and the application is allowed in terms of prayer clause (B). The Acquiring Body is directed to carry out the amendment as mentioned in para-2 of the application forthwith.

(SANDIPKUMAR C. MORE, J.)