

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

**933 CIVIL APPLICATION NO.15338 OF 2022
IN FA/1101/2019**

**SAMBHAJI SHRIRANG SURYAWANSHI (DIED) THROUGH LRS
KRUSHNA AND OTHERS
VERSUS
THE EX. ENGINEER, MEDIUM PROJECT DIV. LATUR AND ANR**

...

**Mr. V.G. Kodale, Advocate holding for Mr. V.D. Gunale,
Advocate for the applicants.**

Mr. B.V. Virdhe, A.G.P. for respondent No.1.

Mr. S.C. Arora, Advocate for respondent No.2.

...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 16.11.2022.

ORDER :

. Heard rival submissions. The applicants being legal heirs of sole respondent in the appeal Shri Sambhaji Shrirang Suryawanshi, are seeking permission to bring themselves on record. The heirship certificate on record indicates that Sambhaji died on 19.08.2009. Learned Counsel for Acquiring Body pointed out that Sambhaji had in fact died prior to passing of impugned award. However, the appeal is filed by Acquiring Body and not by the original claimants, and therefore, considering the right to defend, the application is allowed in terms of prayer clauses (B) and (C). The Acquiring Body is directed to carry out the amendment forthwith. Accordingly the application stands disposed of.

(SANDIPKUMAR C. MORE, J.)