

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

24 CIVIL APPLICATION NO.13589 OF 2021
IN FA/724/2019

SUNIL DHARMARAJ KAKADE (DIED) THR LRS MANGAL AND ORS
VERSUS
THE EX. ENGINEER, MINOR IRRIGATION DIVISION, OSMANABAD AND
ORS

Mr R.D. Khadap, Advocate for applicants

Mr M.G. Kedar, Advocate h/f Mr S.D. Dhongade, Advocate for respondent no.1

Mr P.M. Kulkarni, A.G.P. for respondents no.2 and 3

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 7th March, 2022

PER COURT :

1. Mr R.D. Khadap, learned Advocate for applicants undertakes to remove the office objections. His statement is accepted.
2. It is an application for bringing on record the legal heirs of the original claimant with condonation of delay and directions to the appellants to make necessary corrections.
3. Heard learned Advocates for respective parties.
4. There seems to be delay of 4437 days in moving this application so as to bring on record the legal heirs of original claimant. It is noticed that the appeal has been preferred by the appellants/acquiring body and the State. Even though there is inordinate delay for moving this application for bringing on record the legal heirs of original claimant, the delay needs to be condoned having regard to the nature of dispute.

ORDER

- (i) The Civil Application is hereby allowed in terms of prayer clause (B).
- (ii) The appellants to bring on record the legal heirs of original claimant in the array of appeal memo and provide amended copy of appeal memo to the other side.
- (iii) The Civil Application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)

VVR