

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

12 CIVIL APPLICATION NO.643 OF 2023
IN FA/1526/2021

AMBAJI RENU RATHOD (DIED) THR LRS CHANDRBHAGABAI
DIEDTHR LRS BABURAO A. RATHOD AND ORS
VERSUS
THE EX. ENGINEER, OSMANABAD MINOR IRRIGATION
GMIDC,AURANGABAD AND ORS

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Advocate for Applicants : Mr. R. D. Biradar
AGP for Respondent Nos.2 & 3: Mr. S. S. Dande
Advocate for Respondent No.1 : Mr. B. P. Survase

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CORAM : SANDIPKUMAR C. MORE, J.
DATED : 03/04/2023.

P. C. :

A) ORDER IN FIRST APPEAL NO.1526 OF 2021 :

1. Heard rival submissions.
2. The appellant acquiring body is strictly directed to carry out the amendment as per order dated 26/04/2022 forthwith.

B) ORDER IN CIVIL APPLICATION NO.643 OF 2023:

1. Heard rival submissions.
2. The applicants are seeking permission to bring legal heirs of Chandrabhagabai Ambaji Rathod i.e. respondent No.2 in main appeal, on record. However, it appears that all the legal heirs of Chandrabhagabai, who admittedly died on 29/06/2016, are already on record. As such, there is no need to bring them separately on record. Thus, the appellant acquiring body is directed to delete the

name of respondent No.2 Chandrabhagabai from title clause of the appeal. Amendment be carried out forthwith.

3. Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)

VS Maind/-