

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

**53 CIVIL APPLICATION NO.2520 OF 2023
IN FAST/14187/2020**

WITH

CA/9376/2022 IN FAST/14187/2020 WITH CA/9370/2022 IN
FAST/10495/2020 WITH CA/9371/2022 IN
FAST/10495/2020 WITH CA/9377/2022 IN FAST/14187/2020
WITH CA/9374/2022 IN FAST/14190/2020 WITH
CA/9375/2022 IN FAST/14190/2020 WITH CA/9372/2022 IN
FAST/14193/2020 WITH CA/9373/2022 IN FAST/14193/2020

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIV. ZILLA
PARISHAD, THR ITS AUTHORIZED OFFICER, OSMANABAD

VERSUS

MANIK RAJARAM KADAM AND OTHERS

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Mr. Rajdeep Raut, Advocate for the applicant Acquiring Body.

Mr. S.W. Mundhe, A.G.P. for respondent No.1.

Mr. A.B. Kale, Advocate for respondent No.2.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 27.02.2023.

ORDER:-

1. Heard rival submission. The applicant - Acquiring Body is seeking permission to bring legal representative of respondent No.1 Manik Rajaram Kadam, on record by condoning the delay of 2873 days. Though the office has raised objection that the name of deceased Manik is shown as Manikrao in death certificate as well as heirship certificate, but the learned Counsel for the respondent No.1 Manik submits that the names shown in the impugned judgment as

well as death certificate are of the same person. Therefore, considering the right to defend, the application is allowed in terms of prayer clauses (B), (C) and (D). The amendment be carried out within stipulated period.

2. Civil Application No. 2520/2023 stands disposed of accordingly.
3. List the remaining matters alongwith other connected matters (as per the list provided by learned Counsel for the appellant Acquiring Body) on next date.
4. Stand over to 13.07.2023.

(SANDIPKUMAR C. MORE, J.)