

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

**CIVIL APPLICATION NO.11122 OF 2023
IN FA/2393/2019**

**VISHWANATH RANBA JAGTAP (DIED) THR LRS. VIKAS
VISHWANATH JAGTAP
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND ANR**

...
Mr. L.C. Patil, Advocate for applicant.
Mr. S.S. Dande, AGP for State.

.....

CORAM : KISHORE C. SANT, J.

DATE : 23rd OCTOBER, 2023

PER COURT:

1. This application is filed for bringing legal heirs on record. There is no averment in the present application that the present applicant is the only legal heir of deceased Vishwanath. From the certificate of Gram Panchayat also there is nothing to indicate that he is the only legal heir of the deceased. It is orally submitted that the present applicant is the only legal heir of the deceased. However, said statement is not on affidavit. This Court, therefore, finds that it would be appropriate to file fresh application by incorporating the specific averments to that effect.

2. Learned advocate for applicant therefore seeks leave

{2}

10-CA-11122-2023

to withdraw the application with liberty to file fresh application.
Leave granted with liberty as prayed for. Application stands
disposed of as withdrawn.

[KISHORE C. SANT, J.]