IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

911 CIVIL APPLICATION NO.12311 OF 2018
IN FA/2404/2016

DINANATH NAGNATH MAIRAN (DIED) LRS LAKHAN
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION
OSMANABAD AND ORS

Mr. S. R. Pande, Advocate for the applicant
Mr. S. G. Sangle, Advocate for the respondent
Mr. S. P. Tiwari, AGP for the respondents/State

CORAM : KISHORE C. SANT, J.
DATE : 25th AUGUST, 2023

P. C.

1. This application is filed for adding the applicant as party in the first appeal. It is submitted that in the Executing Court he is already added as party. He happens to be son of daughter of original claimants i.e. Dinanath Nagnath Mairan and thus he has interest in the dispute.

2. Heard the respondents.

3. Though the learned advocate for the respondent

objected, this court finds that since the applicant is already on record in the execution proceeding, he would be necessary party before this court being legal heir of the original claimant.

4. In view of above, the application stands allowed in terms of prayer clause-B and disposed off.

[KISHORE C. SANT, J.]

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