

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

65 FIRST APPEAL NO.439 OF 2017

GODAVARI MARATHWADA IRRIGATION DEVELOPMENT
CORPORATION THROUGH ITS EXECUTIVE ENGINEER LATUR
AND ANR
VERSUS
VIRBHADRA BABUAPPA SHELKE AND ANR

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CORAM: VIMALNATH S. TIWARI
REGISTRAR (JUDL)

DATED: 21/02/2023

1. The sole respondent - Virbhadra s/o Babuappa Shelke has been reported dead on 12/01/2020. The learned advocate Shri Sunil V. Warad for the respondent had submitted a pursis along with death certificate on 06.06.2022. However, upon scrutiny of death certificate it is transpired that the middle name of dead sole respondent differs from the death certificate filed by Advocate. The office report dated 22.12.2022 also points out the said fact. In the death certificate filed by the Advocate, the name of deceased shown as Virbhadra Baburao Shelke whereas, the name of sole respondent mentioned in the First Appeal is Virbhadra s/o Babuappa Shelke.

2. Upon perusal of the record, it appears that the middle name of sole deceased respondent is different, therefore, the learned Advocate is directed to produce on record the correct the death certificate of the sole respondent. Such record be submitted to this office within two weeks from today. In the event, if the Advocate fails to produce the said record, the First Appeal would stand abated as provided in Rule 6(2) of Chapter VII of the Bombay High Court Appellate Side Rules, 1960.

REGISTRAR (JUDL)