

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3185 OF 2023
IN FIRST APPEAL NO. 271 OF 2014

MOHAMAD MASOOD MOHAMAD ABDUL RASHID KAZI
(DIED) THR LRS. MUMTAJ MOHAMMAD MASOOD KAZI AND
OTHERS
VERSUS
THE EXECUTIVE ENGINEER IRRIGATION SARVEKSHAN
AND ANVENSHEN DIVISION THR LIFT IRRIGATION
DIVISION OSMANABAD AND OTHERS

...
Mr. M.B. Kolpe h/f. Mr. V.B. Deshmukh – Advocate for
Applicants

Mr. S.P. Sonpawale – Advocate for Respondent No.1

Mr. S.N. Morampalle – AGP for Respondent Nos.2 and 3

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 27th March, 2023

PER COURT :

1. Heard rival submissions.
2. The learned counsel Mr. S.P. Sonpawale for respondent no.1/appellant – acquiring body despite getting copies remained absent.
3. The applicants are seeking permission to bring themselves on record in the appeal being the legal

representatives of respondent No.3 – Mohamad Masood Mohamad Abdul Rashid Kazi i.e. sole claimant, who admittedly died on 21st December, 2020 by condoning the delay of 177 days.

4. There is no strong objection from other side and considering the right to defend, the application stands allowed in terms of prayer clauses 'B' and 'C'.

5. The respondent no.1/appellant – acquiring body is directed to carry out the amendment within the stipulated period.

6. The Civil Application is accordingly disposed of.

[SANDIPKUMAR C. MORE]
JUDGE

Pooja K.