

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

**CIVIL APPLICATION NO. 12864 OF 2023
IN FA/1275/2017**

Syed Abdul Aziz Syed Abdul
Rasheed, Died through legal heirs
Syed Abu Sayeed Syed Abdul
Rasheed, through legal heirs
Syed Duranabegum Abusayeed
and others

.. Applicants

Versus

Godavari Marathwada Irrigation
Development Corporation,
Through the Executive Engineer
Lift Irrigation Division, Osmanabad and another

.. Respondents

Smt. A. N. Ansari, Advocate for the Applicants.

CORAM : KISHORE C. SANT, J.

DATED : 27th OCTOBER, 2023.

P C. :-

. Heard.

2. This application is filed for allowing applicant No. 1 – Syed Duranabegum Abusayeed Mashayak to act as next friend as natural guardian mother of applicant No. 3 – Mashayak Ziya Javed s/o Syed Abu. The applicant No. 1 happens to be mother of applicant No. 3. This Court by order dated 21.06.2023 had allowed the Civil Application No. 4324/2023 for withdrawal of the amount. The applicants

accordingly appeared before the Registrar for necessary steps to complete the procedure of withdrawal and for verification. The Registrar observed that, respondent No. 3 needs help of next friend and his claim came to be withheld. The claim of others was granted and approved. This application is therefore filed to permit applicant No. 1 to act as next friend of applicant No. 3.

3. In view of the averment and in view of the fact that the relationship is not disputed, the application is allowed in terms of prayer clause (B).

4. The civil application is disposed off.

(KISHORE C. SANT, J.)

PS.B.