

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

**915 CIVIL APPLICATION NO.3077 OF 2023
IN FA/2584/2021**

EXECUTIVE ENGINEER, OSMANABAD MINOR IRRIGATION,
SUB-DIVISION, OSMANABAD

VERSUS

CHANDAR TULSHIRAM GULVE (DIED) THROUGH LRS
SINDHUBAI (DIED) MATHURA AND OTHERS

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Mrs. Surekha Chincholkar, Advocate for the applicant.
Mr. S.B. Choudhari, Advocate for respondent Nos.2 to 5.
Mr. B.V. Virdhe, A.G.P. for respondent Nos. 6 and 7.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 13th April 2023.

ORDER:-

1. Issue notice to the respondents. Learned Counsel Mr. Choudhari waives service for respondent Nos.2 to 5. The learned A.G.P. waives service for respondent Nos. 6 and 7
2. Heard rival submissions.
3. The applicant Acquiring Body is seeking permission to bring legal heirs of deceased respondent claimant Hanumant Chandar Gulve on record in the appeal, who admittedly died on 11.02.2020, by condoning the delay of 933 days. Though the death certificate of Hanumant is not readable in respect of his date of death, but the learned Counsel for the respondents claimants already admitted his death on 11.02.2020.

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 appellant - Acquiring Body is directed to carry out the amendment with stipulated period.
6. Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)