

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.3708 OF 2023
IN
FIRST APPEAL NO.756 OF 2001

Aruna Babaso Jadhav & Ors. ...Applicants

Versus

Chandrakant Gulabrao Mandhare & Ors. ...Respondents

Mr.Sangramsinh Yadav a/w Mr.H.K. Rogi, for the Applicants.

Mrs.Varsha Chavan, for the Respondents.

CORAM : SHIVKUMAR DIGE, J.

DATE : 13 APRIL 2023

P.C:-

. Not on board. Taken on board.

2. Heard learned counsel for the Applicants and learned counsel for the Respondents.

3. The learned counsel for the Applicants submits that this Court has disposed of the Appeal filed by the Appellant, the father's name of the Applicant Nos.1 to 3 should be Babaso but in Appeal it was wrongly mentioned in different ways Balasaheb and Babasaheb. Hence, requested to allow the Application.

4. The learned counsel for the Respondent objected to

make correction on the ground that there is variance in the fathers name of the Applicant's.

5. I have heard both learned counsel.

6. In my view the Applicant Nos.1 to 3 have filed Adhar Card showing their fathers name as Babaso. The Applicant No.4 was unmarried at the time of the Claim Petition and now she has married so her name be corrected as per husband's name. Moreover, they have filed affidavits stating that then variance in the name of the father in the Claim Petition. There is no dispute that the Applicants are the legal heirs of deceased. Hence, I pass following order.

ORDER

- (i) The Application is allowed in terms of prayer clause (a) and (b).
- (ii) The Applicant to carry out amendment within a week.

(SHIVKUMAR DIGE, J.)