

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

CIVIL APPLICATION (F) NO. 2273 OF 2019

IN

FIRST APPEAL (STAMP) NO. 3855 OF 2019

VIDC through Executive Engineer Irrigation Department Wardha

vs.

Shri Shankar s/o Natthuji Mohurle and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri. T. M. Zaheer, Advocate for applicant.
Smt. Trupti Udeshi, AGP for respondent Nos.4 and 5.

CORAM : SMT. M. S. JAWALKAR J.

DATE : 08/06/2023

PURSIS (STAMP) NO. 02/2022

By this pursis appellant informed that respondent No.1 Shri Shankar S/o Natthuji Mohurle reported to be dead on 15/04/2021 and respondent No.3 Smt. Radha Sadashiv Mohurle reported to be dead on 21/10/2019. The deceased respondent Nos.1 and 3 left behind respondent No.2 Smt.Prabhavati Chinduji Watgure as the only legal heir.

2. As such the appellant is permitted to delete the names of respondent Nos.1 and 3 from the array of respondents. Amendment to be carried out within a period of two weeks.

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Present application is filed for grant of leave to file appeal. In reference proceedings the applicant VIDC was the proper party as respondent, however the claimant arrayed only the Executive Engineer, M.I.D. Wardha as party respondent.

2. As such application is allowed. Registry to take note.

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Heard.

2. **Admit.**

3. Issue notice to the respondents, returnable within **three weeks**.

4. Learned AGP waives notice on behalf of respondent Nos.4 and 5.

JUDGE