

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

**CIVIL APPLICATION (CAF) NO. 69/2023 IN**  
**FIRST APPEAL NO. 641/2011**

Markand S/O Kishan Zalake And 3 Others

**Vs**

The State Of Maha. Thr. The Secretary, Ministry Of Irrigation Department And 4 Others

---

Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

---

Court's or Judge's Order

---

Mr Abhishek Tripathi, Adv. h/f Mr H.D. Dangre, Advocate for the Appellant No.4.

**CORAM : URMILA JOSHI-PHALKE, J.**  
**DATED : 03/03/2023.**

Office note shows that inadvertently in the earlier office note the respondent No.3 was shown to be dead. All the respondents are already served.

**CIVIL APPLICATION (CAF) NO. 69/2023**

1. By this application, the appellant No.3 is seeking permission to bring the legal representatives of the deceased appellant No.2-Prabhakar Zalke on record.

2. Present appeal is preferred by the appellant, challenging the impugned judgment and order dated 16/03/2011 passed in LAC No. 42/2005 passed by the learned Joint Civil Judge, Senior Division, Bhandara.

3. During the pendency of the appeal, appellant No.2-Prabhakar s/o Kishan Zalake reported to be dead on 24/10/2022. He died, leaving behind the legal representatives.

4. Notices are issued. None is present for the respondents.

5. In view of the reasons mentioned in the application, appellant is permitted to bring the legal representatives of appellant No.2 on record.

6. Issue notice to the proposed legal representatives.

7. Appellant to carry out necessary amendment within stipulated period.

Stand over on 31/03/2023.

**JUDGE**