



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13314 OF 2023
IN FIRST APPEAL (ST)No. 21543 OF 2020

SHINDHUBAI SADHU KADAM AND OTHERS
VERSUS
THE EXECUTIVE ENGINEER, OSMANABAD
MEDIUM PROJECT DIVISON OSMANABAD AND ANR

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Advocate for the Applicant : Mr. V. B. Deshmukh
AGP for Respondent No.2 : Mrs. R. R. Tandale

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CORAM : S. G. MEHARE, J.
DATE : 16.02.2024

PER COURT :

1. Once again it is noticed that instead of bringing the LR's on record by the appellants, the original respondent No.1 Shindhubai herself has filed this application for bringing the legal heirs of respondent No.2 on record.

2. The simple duty of the lawyer is to intimate the other side about a death of a party. However, it appears that the learned counsel for the deceased respondent did not do such duty. The plaintiff or appellant is the master of his case. Only they have

right to make changes in their petitions. If such practice is adopted, the very provision would remain in the law book only. It shows that, the legal practitioners are searching new ways to support each other. No such provision is there in the Code of Civil Procedure Code that the LRs of deceased-respondents should move an application for bringing his/her legal heir. The application is not tenable. Hence, dismissed.

WITH CIVIL APPLICATION NO. 13313 OF 2023 WITHDRAWAL

**SHINDHUBAI SADHU KADAM AND OTHERS VERSUS
THE EXECUTIVE ENGINEER, OSMANABAD MID UM PROJECT
DIVISION OSMANABAD AND ANOTHER**

1. The learned counsel for the applicants has no complete information about the relationship between the applicants. He is unable to render the assistance to the Court. Hence, remove from board.

**(S. G. MEHARE)
JUDGE**

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