

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 324 OF 2024
IN FAST/10596/2022

Bhagwat S/o Sopan Khawale (died) Thr Lrs. Sunita Bhagwat Khawale
And Ors

VERSUS

The Exe. Engineer, Minor Irrigation Div., Osmanabad And Ors

...

Advocate for Applicant : Mr. Omprakash V. Waghmare h/f Mr. Kore
Ganesh J

AGP for Respondent/State : Mrs. R.R. Tandale

Advocate for Respondent No.1 (through V.C.) : Mr. M.C. Swami

...

CORAM : S.G. MEHARE, J.

DATED : JANUARY 12, 2024

PER COURT:-

1. This is an application by the respondents seeking condonation of delay in bringing the legal heirs on record and setting aside the abatement order and direction to the appellant to bring the legal heirs of respondent no.1 on record mentioned in para 3 and in title clause of the application.

2. This seems to be an innovative application. If the respondent dies, the counsel for the respondent has simply to intimate the Court and the appellant. It is the choice of the appellant to bring the legal heirs or not. Since the application is misconceived, it is dismissed.

(S.G. MEHARE, J.)