

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

946 CIVIL APPLICATION NO. 7758 OF 2024
IN FA/309/2015

Sayyad Dilawar Khajabhai Died Thr LRs
Hamidabi Dilavar Sayyad And Ors

VERSUS

The State Of Maharashtra Thr. Collector Osmanabad And Anr

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Mr. N. B. Khandare - Advocate for Applicant
Mr. V. K. Kotecha - AGP for Respondent/State

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CORAM : R. G. AVACHAT
AND
NEERAJ P. DHOTE, JJ.

DATED : 09TH AUGUST, 2024

PER COURT : -

1. By this Application, the Applicants seek correction in the name of Applicant No. 1-E) in Civil Application No. 4541 of 2024, which has been disposed of by this Court vide order dated 09.05.2024. The grounds put forth by the Applicants are as follows : -

- 6] Applicants say and submit that, after the death of original owner (father of the applicants 1-A to 1-F) the names of applicants were taken on record on the basis of a certificate of legal heirs issued by the Village Panchayat, Jakekur, wherein the name of applicant No.1-E) was mentioned as Taiseen Jan Mahamad Khan. As the such the said name was mentioned in the Civil Application.
- 7] The marriage of applicant No. 1-E performed on 22.7.1999. The Aadhar Card was issued to applicant No.1-E) is dtd. 22.10.2021, wherein name of applicant is mentioned as *Taiseen Jan Mahamad Pathan*. While issuing the legal heirs certificate by the Village Panchayat, Jakekur, a mistake in the name of applicant No.1-E was occurred and name of applicant No.1-E) was mentioned as Taiseen Jan Mahamad Khan, instead of '*Pathan*'. On the basis of said

certificate, names were taken on record and also mentioned in the Civil Application No. 4541/2024. For ready reference, copy of Aadhar Card of applicant No.1-E) bearing No. 2112 4072 2444 is annexed hereto and marked as Annexure – C-4.

- 8] Applicants state that the name of applicant is Taiseen Jan Mahamad Pathan, is correctly mentioned in the Aadhar Card. The name of applicant No. 1-E) mentioned in the Civil Application is not correct name. There being difference in the name mentioned in the application and on Aadhar Card and also the bank account, applicants are not allowed to withdraw the amount of compensation.

2. Learned AGP opposed the application.

3. For the reasons mentioned in the Application, the **application is allowed** in terms of prayer clause 'B' thereof.

4. It is made clear that the correction be made first in the application memo and thereafter the application be listed for directions in respect of correction in the order. The amendment be carried out within a period of one (1) week.

5. List the Application on **23rd August, 2024.**

[NEERAJ P. DHOTE]
JUDGE

[R. G. AVACHAT]
JUDGE