



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

CIVIL APPLICATION (CAF) NO. 4612 OF 2025

IN

FIRST APPEAL NO. 633 OF 2015

Himmatrao Pundlik Deshmukh (dead) Vs. The Executive Engineer and ors.

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

Court's or Judge's Orders.

Mr.S.S.Nemade counsel h/f Mr. S.U.Nemade, Advocate for the
appellant.

Mr. N.A.Waghmare counsel h/f Mr. P.B.Patil, counsel for the
respondent No.1.

Ms.Sneha Dhote, AGP for respondent Nos. 2 and 3.

CORAM : NEERAJ P. DHOTE, J.

DATE : 07/01/2026

1. Heard the learned Advocate appearing for the
applicants and the learned Advocate for the acquiring body.

2. This is an application for setting aside the
abatement and to bring on record the legal representatives
of the deceased/claimant Himmatrao Pundlik Deshmukh.
Copy of the death certificate showing the name of
Himmatrao Pundlik Deshmukh as deceased is enclosed
herewith. The application is on affidavit by the applicant
No.4. There is categorical averment in the application that

the applicants are the only legal heirs of the deceased/appellant and except them, there is no other legal heir of the deceased. The learned Advocate for the applicants undertakes to place on record the copy of the legal heir certificate issued by the Competent Court before the appeal is finally heard. In this view of the matter, the application is allowed in terms of its prayer clause.

3. The amendment be carried out within a period of two weeks.

4. The copy of the amended memo be supplied to the respondents.

5. Application stands disposed of.

JUDGE