

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

909. CA/215/2005 In FA/89/2004 WITH CA/216/2005 In FA/89/2004

SPECIAL LAND ACQUISITION OFFICER AND ANR
V/S
TULSHIRAM SAKHARAM MAHAJAN DIED LRS

Mr. R.B. Bagul, AGP for applicants.

CORAM : T.V. NALAWADE, J.
DATED : 10th December, 2015.

ORDER :

1. The first application is filed for condonation of delay and second application is filed for permission to bring the legal heirs of deceased respondent No. 1 on the record. The proposed legal heirs are duly served, but they have not turned up. Heard the learned AGP. Seen the contentions made in the petition. As the State was not knowing about the death of respondent No. 1, the delay is caused and so, this Court holds that sufficient cause is made out for condonation of delay.

2. In the result, both the applications are allowed. The delay is condoned. Permission is granted to bring the legal heirs of deceased respondent No. 1 on the record. Amendment is to be carried out immediately.

3. Notice in the main proceeding to the legal heirs of deceased respondent No. 1 is to be issued which is made returnable on 1.2.2016.

[T.V. NALAWADE, J.]

ssc/