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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 4147 OF 2015
IN
FIRST APPEAL NO. 353 OF 2010**

Sambhaji Venupure (Deceased), through his legal heirs Reshma S. Venupure & Ors. ...Applicants

Versus

The Maharashtra Krishna Valley Development Corporation, through its Executive Director ...Respondents

Mr Vikas B. Shivarkar, for the Applicants.
Mr. V.S. Tadake, i/b Mr. V.B. Nighot, for the Appellant.
Mr. Gaurav Potnis, i/b Mrs. Pallavi Potnis, for Respondent No. 1.
Mrs. A.R. Patil, AGP, for Respondent Nos. 2 and 3.

**CORAM: A. S. OKA & G.S. PATEL, JJ.
DATED: 17th December 2015**

PC:-

1. Heard learned counsel appearing for the Applicants, the learned counsel appearing for the 1st Respondent and the learned AGP appearing for Respondent Nos. 2 and 3.

2. The 1st Respondent in the pending First Appeal, Sambhaji Rajaram @ Shiva Venupure died on 13th April 2010 as seen from the copy of the death certificate annexed as Exhibit "A" to this

Application. The present Application is by the persons claiming to be the legal representatives of the deceased 1st Respondent who was the original Claimant in the Reference under Section 18 of the Land Acquisition Act, 1894. The learned counsel for the Respondents have no instructions about the correctness of the statements made in the Application.

3. By accepting the statements made in the Application, the same is allowed in terms of prayer clauses (b) to (d). It follows that the abatement of the First Appeal stands set aside by virtue of this order. Appellant to carry out amendment accordingly.

4. Civil Application No. 4148 of 2015 shall be kept for hearing on 21st January 2016.

(G. S. PATEL, J.)

(A. S. OKA, J.)