

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

CAO NO. 920/2015 IN CAF NO. 1902/2013
IN FIRST APPEAL ST. NO. 5386 OF 2013

(The State of Maharashtra & Ors. vs. Kausalyabai wd/o Vithoba Sadekar)

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

Court's or Judge's orders

**CORAM : B.P. DHARMADHIKARI &
V.M. DESHPANDE, JJ.
NOVEMBER 30, 2015.**

Mrs. Rashi Deshpande, learned AGP for the applicants/ appellants and Shri Kshirsagar, learned counsel for the respondent.

The State Government has filed appeal under Section 18 of the Land Acquisition Act. Filing of that appeal is belated by 792 days. After filing of appeal, applicants/ appellants learnt that the original land owner has expired after delivery of judgment of Reference Court but before filing of proceedings before this Court. Therefore, CAO No. 920 has been taken out.

Shri Kshirsagar, learned counsel fairly submits that all ten legal heirs have moved Civil Application (F) No. 2711 of 2015 seeking leave to withdraw the amount deposited with the Registry of this Court. To facilitate its consideration, he gives no objection.

Accordingly, we grant Civil Application (O) No. 920 of 2015 and legal heirs are permitted to be substituted in proposed appeal memo as also in memo of Civil Application (F) No. 1902 of 2013. The

necessary amendment be carried out within one week.

List Civil Application (CAF) No. 1902 of 2013 for condonation of delay with Civil Application (CAF) No. 2711 of 2015 thereafter.

JUDGE

JUDGE

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