

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

929 CIVIL APPLICATION NO. 1700 OF 2016  
IN FA/988/2015 WITH FA/988/2015 WITH CA/8873/2015 IN  
FAST/16379/2015 WITH CA/8874/2015 IN FAST/16379/2015  
WITH FAST/16379/2015

GAMBHIR GANPAT JANJAL DECEASED THR LEGAL HEIRS  
CHANDRABHAGABAI GAMBHIR JANJAL DEA  
VERSUS  
MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION THR  
ITS AREA MANAGER, JALGAON AND

...  
Advocate for Applicants : Tripathi Sushilkumar H.  
AGP for respondent Nos. 10 to 12 : S.R. Yadav  
Advocate for Respondent No. 1 : S S Dande  
...

**CORAM : T.V. NALAWADE, J.**  
**DATED : 11th February, 2016.**

**ORDER :**

1. Civil Application No. 1700/2016 is filed for condonation of delay of 319 days caused in bringing legal heirs of deceased appellant No. 1A on the record. Notice is given to other side. The learned counsel for Acquiring Body is heard. In view of the contents of the application and submissions made, this Court holds that sufficient cause is shown. The application is allowed. Abatement in respect of deceased appellant No. 1A is set aside. Delay is condoned. Permission is granted to bring the legal heirs of deceased respondent No. 1A on the record in the appeal. The learned counsel for appellants submitted that they are already on record as respondent Nos. 2 to 9. Accordingly

amendment is to be carried out in the appeal memo. Learned counsel for these legal heirs have no objection if similar order is made in other appeal. So the Acquiring Body is also to bring legal heirs of deceased respondent No. 1A. Amendment is to be carried out in that appeal memo. Notice is waived by learned counsel Shri. Tripathi for aforesaid respondents.

2. Civil Application No. 8873/2015 is filed by Acquiring Body for condonation of delay of 56 days caused in filing the appeal. Both the sides are heard. In view of the contents of the application and submissions made, this Court holds that sufficient cause is shown. So, the application is allowed. Delay is condoned.

3. Both the sides submitted that connected appeals are admitted. Both the sides are heard for admission purpose. Both the appeals are **admitted**. Notice after admission is waived by learned counsel Shri. Tripathi for original claimants and learned AGP Shri. Yadav for respondent Nos. 10 to 12. Learned counsel Shri. Dande waives notice for Acquiring Body. Call record and proceeding in both the matters.

4. The learned counsel for Acquiring Body made a

statement that entire amount of compensation has been deposited. In view of this circumstance, the stay application bearing No. 8874/2015 is allowed and disposed.

**[ T.V. NALAWADE, J. ]**

ssc/