

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 662 OF 2013

IN

FIRST APPEAL NO. 89 OF 2012

SHRI. BALKRISHNA SURYAJI S.
KAKODKAR (SINCE DEC.) THROUGH
LR'S.,

... Applicant

Versus

SHAMBU PUNDALIK PRABHU DESSAI AND
7 ORS.,

... Respondents

Mr. P. Arolkar, Advocate for the applicant.

Coram:- K. L. WADANE, J.

Date:- 11th March, 2016

P.C.:

The application is filed for condonation of delay of 200 days caused in filing application for bringing legal representatives of the deceased respondent no.2 on record.

2. It appears that notice of this proceeding was served on the legal representatives of the respondent no.2, but nobody has turned up. It appears that after admission of the appeal, notice was issued to the respondents and report was given that the respondent no.2 was dead. The respondent no.2 died on 9/09/2012. It appears that there was reference under Section 30 of the Land Acquisition Act and all the applicants were represented by respondent no.1(d) as power of attorney holder. The reference is rejected. The said deceased applicant is now made respondent. In view of these circumstances, this Court holds that delay needs to be condoned. In the result, delay

is condoned.

3. Legal representatives are allowed to be brought on record of deceased respondent no.2. After bringing legal representatives on record in the appeal fresh notices to be given to them at the costs of the applicant. Amendment to be carried out within two weeks.

4. Application stands disposed of.

K. L. WADANE, J.

vn