

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 900 OF 2016
IN
FIRST APPEAL NO. 1299 OF 2014

Sau. Shubhada Narsinhrao Deshmukh
Maiden name
Shubhada Laxman Desai

.....Applicant
(Intervenor)

IN THE MATTER BETWEEN :-

1. The State of Maharashtra
(Through the Special Land Acquisition
Officer), Building & Communication
Project, Sindhudurg

.....Appellants
(Orig. Referees)

V/s.

1. Shri. Laxman Vithoba Desai (dead)
(deceased through legal heirs
Orig. Claimant Nos. 2 to 5) and Ors.

.....Respondents
(Orig. Claimants)

* * * * *

Mr. Umesh R. Mankapure, Advocate for the applicants.

Mr. A.R. Patil, AGP for the State.

Coram :- Smt. R.P. SondurBaldota, J.

1st April, 2016.

P.C. :-

1). This Civil Application by the applicant is for impleading herself as party respondent to the First Appeal preferred by the State of

Maharashtra. The Civil Application has been served upon the appellants and the respondents. Mr. Patil, appearing for the appellants submits to the orders of the Court. Respondents no.2 to 5 are not present despite service.

2). Mr. Mankapure, learned Advocate appearing for the applicant states that, father of the applicant and the respondents had filed the reference for enhancement of the compensation for acquisition of the land. He died pending the reference. After the death, when respondents no.2 to 5, brought themselves on record as the heirs, they deliberately omitted the applicant who is their sister. After the applicant learnt about the reference and the present appeal, she filed the present application for impleading herself as a party respondent to the appeal preferred by the State.

3). Heard the advocates. Copy of the other proceedings filed by the respondents for partition shows that the applicant is the sister of the respondents. Hence, the Civil Application is allowed in terms of prayer clause (b). Amendments to be carried out within one week from today.

(SMT. R.P. SONDURBALDOTA, J)