

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.2868 OF 2004**  
**IN**  
**FIRST APPEAL NO.671 OF 2002**  
**IN**  
**L.A.R. NO.151 OF 1988**

The State of Maharashtra  
Through the Special Land Acquisition  
Officer, Nasik

.... Applicant

V/s.

Bhaurao Lahanu Gavande

.... Respondent

Mr. Amit Parkar, A.G.P., for the Applicant-State.

None for the Respondent.

**CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.**

**DATE : 28<sup>TH</sup> SEPTEMBER 2016.**

**P.C. :**

1. In view of the order passed by this Court on 27<sup>th</sup> April 2007, the delay in preferring Civil Application for bringing legal heirs of the sole respondent on record is condoned.
2. None appears on behalf of the legal heirs of the respondent, though the notice is duly served.
3. Hence, this Civil Application is allowed in terms of prayer clause (c), that of setting aside the order of abatement, and prayer clause (d), that of bringing legal heirs of the respondent on record.

4. Learned A.G.P. for the applicant-State to carry out necessary amendment in the First Appeal within a period of two weeks from today.
5. On the amendment being carried out in the First Appeal, within the stipulated time, Registry to issue notice of the First Appeal to the newly added respondents, returnable on 26<sup>th</sup> October 2016.
6. Civil Application stands disposed of in the above terms.

**[DR. SHALINI PHANSALKAR-JOSHI, J.]**