

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

927 CIVIL APPLICATION NO. 2837 OF 2017
IN FA/305/2008

RAMCHANDRA SUKHARAM MEHER AND ORS

VERSUS

THE STATE OF MAHARASHTRA AND ANR

...

Advocate for Applicants : Mr. S.K. Adkine
AGP for Respondents: Mr. S.R. Yadav.

CORAM : K.K. SONAWANE, J.

DATE : 14th November, 2017.

PER COURT:

1] Heard learned counsel for the applicant and learned AGP for the respondent State of Maharashtra. Perused the application. This is an application for bringing LRs of deceased appellant No.2 on record.

2] Admittedly, one Ramchandra Sukhram Meher and Babulal Sukhram Meher preferred the present first appeal for enhancement of compensation amount for their acquired land. During the pendency of appeal the appellant No.2 passed away on 9.7.2015. The applicants are legal heirs of deceased Babulal and they are intending to appear in the proceeding as co-appellant. The applicants have produced the extract of death certificate of deceased appellant No1 as well as Succession Certificate issued by the Gram Panchayat authority, on record.

3] Considering the nature of the proceeding, I do not find any impediment to allow the application. For the reasons stated in the application, the application is allowed in terms of prayer clause (B). The

abatement of the proceeding following death of appellant No.2 is quashed and set aside. The applicants are permitted to be brought on record as co-appellants, being legal heirs of deceased appellant No.2. Necessary amendment be carried out within a period of three weeks.

4] The application is disposed of.

[K.K. SONAWANE]
JUDGE.

grt/-