

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

930 CIVIL APPLICATION NO. 9560 OF 2017
IN FA/102/2016

BAPURAO HARI GUNTHE (DIED) LRS DATTA AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicants : Mr. G. N. Chincholkar
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 on record.

2] Admittedly, one Bapurao Hari Gunthe preferred the present first appeal for enhancement of compensation amount for their acquired land. During the pendency of appeal the appellant Bapurao Hari Gunthe passed away on 29.11.2016. The applicants are legal heirs of deceased Bapurao and they are intending to appear in the proceeding as co-appellants. The applicants have produced the extract of death certificate of deceased appellant 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 is quashed and set aside. The applicants No. 1A to 1C are permitted to be brought on

record as co-appellants, being legal heirs of deceased appellant. Necessary amendment be carried out within a period of two weeks.

4] The application is disposed of.

[K.K. SONAWANE]
JUDGE.

grt/-