

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

927 CIVIL APPLICATION NO. 8460 OF 2017
IN FAST/15853/2016 WITH CA/8656/2016 IN FAST/15847/2016
WITH CA/8658/2016 IN FAST/15856/2016 WITH CA/8660/2016 IN
FAST/15862/2016 WITH CA/8665/2016 IN FAST/15850/2016 WITH
CA/8668/2016 IN FAST/15853/2016 WITH CA/8670/2016 IN
FAST/15865/2016

NARAHARI SAHEBRAO GAWALI DIED THR LATABAI AND ORS
VERSUS
THE EXE ENGINEER, NIMNA DUDHANA PROJECT DIV SELU,
(JAIKWADI CONS. PROJECT DIV NO.7

...
Advocate for Applicants : Mr. C. R. Thorat holding for Mr. Kathare
Makarand B.

Advocate for Respondent no.1 & 2: Mr. Patil R. C.
AGP for Respondent no.3 : Mr. S. M. Ganachri

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CORAM : P.R. BORA, J.
DATE : 30-06-2017.

P.C. :

The office remark shows that respondent no.4 is yet to be served. However, now it is revealed that respondent no.4 has expired and her only legal heir i.e. her daughter Meerabai Ankush Kharat is already there on record as respondent no.5. The applicant is permitted to carry out necessary corrections. Service complete. All respondents are held to have been served. So no further steps required to be taken for bringing on record the legal representative of deceased respondent no.4.

2. The learned counsel Mr. M. B. Kathare has already filed Vakil Patra on behalf of said Meerabai. Hence, service complete.

3. Delay of the period of around 400 days has occurred in filing the present appeals by the acquiring body. Though the learned Counsel appearing for the original Claimant has opposed for condoning the delay for the reasons stated in para no.2 of the

application, which according to me are just and sufficient the delay caused in filing the appeals is condoned. Appeals be registered in accordance with law. Civil applications for condonation of delay stand disposed of.

4. On registration of the appeals, issue notice to the respondents. Learned Counsel waives service for the respondents Service complete. List the matters for admission after four weeks. Call for R & P.

6. Leave to correct the name of applicant no.5 is granted. It be corrected forthwith. For the reasons stated in the application, the application is allowed in terms of prayer clause-B. Civil Application No. 8460/2017 stands disposed of.

(P.R. BORA)
JUDGE

vsm