

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

932 CIVIL APPLICATION NO. 10995 OF 2017  
IN FAST/20457/2014 WITH CA/3620/2015 IN FAST/20556/2014 WITH  
CA/3621/2015 IN FAST/20556/2014 WITH CA/3622/2015 IN  
FAST/20457/2014

MUKUND MARUTI LOKHANDE (DIED) THR LRS PRABHAVATI AND OTHERS  
VERSUS  
THE EX. ENGINEER, IRRIGATION PROJECT STRENGTHENING DIV. OMERGA  
AND ORS

\*\*\*  
Advocate for Applicants : Mr. Laxmikant C. Patil  
Adv. for respondent No.1 : Mr. S.G. Sangle.  
AGP for Respondent No.2: 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 No.1 and learned counsel for the respondent No.2 Acquiring Body. Perused the application. This is an application for bringing LR of deceased appellant No.1 - Mukund on record.

2] Admittedly, the Acquiring Body preferred the present first appeal for enhancement of compensation amount for the acquired land of the applicants. During the pendency of appeal the original respondent No.1 Mukund passed away on 10.01.2014. The applicants are legal heirs of deceased Mukund and they are intending to appear in the proceeding as LR of deceased respondent No.1. The applicants have produced the extract of death certificate of deceased appellant No.1 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) (C) and (D). The abatement of the proceeding following death of original respondent No.1 is quashed and set aside. The applicants are permitted to be brought on record as legal heirs of deceased respondent No.1. The delay caused in filing the civil application for taking LRs on record is hereby condoned. Necessary amendment be carried out by original appellant/Acquiring Body within a period of three weeks.

4]           The application is disposed of.

**[K.K. SONAWANE]**  
**JUDGE.**

grt/-