

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

919 CIVIL APPLICATION NO. 11078 OF 2017
IN FA/3413/2008 WITH CA/14379/2017 IN FA/3413/2008

VILAS JAYSING RAJPUT AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...

Advocate for Applicants : Mr. Sonaji K. Adkine
AGP for Respondents: Mr. S.R. Yadav
Adv. for Respondent No. 2 : Mr. D.G. Kamble

CORAM : K.K. SONAWANE, J.

DATE : 30th November, 2017.

PER COURT:-

1] Heard learned counsel for the applicant. Perused the application. The learned counsel for the applicant Shri Adkine made a statement at bar that except these 3 applicants i.e. 2A to 2C, shown in the array of respondents, there are no other legal heirs of deceased - Kundansingh s/o. Raghunathsingh Rajput. He produced the certificate issued by the Gram Panchayat authority as well as death certificate of deceased claimant Kundansingh. These documents are marked as "X" collectively.

2] Considering the submission made on behalf Shri Adkine and in view of the documents produced on record, there is no impediment to allow the applicants to be brought on record as LRs of deceased Kundansingh. Accordingly, the application stands allowed in terms of prayer clause (B). The delay caused in filing the application is hereby condoned. The

abatement of proceeding following death of deceased Kundansingh stands quashed and set aside. The applicants are permitted for substitution as co-appellants in the proceedings, by requisite amendment to be carried out within two weeks. Both the civil applications stand disposed of.

[K.K. SONAWANE]
JUDGE.

grt/-