

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

922 CIVIL APPLICATION NO. 12566/2017
IN FAST/23733/2016

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
OSMANBAD AND ANR

VERSUS

YASHWANT SHESHADRI DANGE (DIED) THROUGH LRS SUCHITA
AND OTHERS

...

Advocate for Applicants : Mr. Karlekar Sujeet G.
Advocate for Respondents : Mr. Ramraje A. Deshmukh

CORAM : K. K. SONAWANE, J.

DATE : 16th November, 2017

ORDER:

1. Heard learned counsel Mr. Karlekar for the Applicant Acquiring Body. He submits that respondent-original claimant Yashwant Dange is no more and the Acquiring Body is intending to bring his legal heirs on record. He seeks permission for bringing legal heirs of respondent Yashwant Dange on record after setting aside the abatement of the proceedings by condoning the delay.

2. In view of the nature of the subject matter and the reasons mentioned in the application, there is no impediment to allow the application. Hence, the application is allowed in terms of prayer clauses (B) and (C). The applicant Acquiring Body is hereby

permitted to bring the legal heirs of deceased respondent Yashwant Dange on record by requisite amendment within two weeks. Delay in bringing the legal heirs on record is hereby condoned. Abatement of the proceedings following death of respondent Yashwant Dange is hereby quashed and set aside.

3. Civil application stands disposed of in above terms.

(K. K. SONAWANE, J.)

JPC