

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

CIVIL APPLICATION NO. 11794 OF 2017
IN FAST/10976/2016

MADHAV AMBADAS SHANKAR DIED THROUGH LEGAL HEIRS PARVATI AND
OTHERS
VERSUS
EXECUTIVE ENGINEER, LIFT IRRIGATION DIVISION, OSMANABAD NOW
UNDER THE GMIDC LTD.

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CIVIL APPLICATION NO. 14446 OF 2017
IN FAST/11062/2016

NAMDEO PRALHAD VEER DIED THROUGH LEGAL HEIRS PARVATI AND
VERSUS
EXECUTIVE ENGINEER, LIFT IRRIGATION DIVISION, OSMANABAD NOW
UNDER THE GMIDC LTD.

...

Advocate for Applicant : Mr. R. A. Deshmukh.
Advocate for Respondent No. 1 : Mr. S. G. Sangle.
AGP for Respondents No.2 and 3 : Mr. S. R. Yadav-Lonikar.

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CORAM : K.K. SONAWANE, J.

DATED : 20TH DECEMBER, 2017.

Order :-

Heard learned counsel for applicants and learned counsel for respondent- Acquiring Body as well as learned AGP for respondents- State of Maharashtra and Special Land Acquisition Officer.

2. Perused the applications. Learned counsel for applicants submits that respondent- Acquiring Body has filed appeals against respondents Namdev Pralhad Veer and Madhav Ambadas Shankar. But, both respondents are no more and they passed away in the month of August-2015 and November-2016 respectively. The applicants are the legal representatives of deceased respondents. They filed document of succession certificate/s issued by Grampachayat Authority of village Aalani, Taluka and District Osmnabad. Hence, applicants are requested to issue direction to respondent/appellant- Acquiring Body to implead them as party respondents in these matters.

3. In view of submission, there is no impediment to provide one more reasonable opportunity to pursue the appeal as party respondents in these matters. Hence, applications are allowed in terms of prayer clause 'C'. The delay caused for filing present applications, if any, stand condoned. The applicants are permitted to join and pursue the matters. The appellant is hereby directed to carry out necessary amendment within a period of four (4) weeks and incorporated the names of legal representatives of both deceased respondent/s (original claimant/s) Namdev Pralhad Veer and Madhav Ambadas Shankar on record. Accordingly, civil applications stand disposed of in above terms.

[K. K. SONAWANE]
JUDGE

rrd.