

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

CIVIL APPLICATION NO. 16142 OF 2016 IN FA/1396/2014

MEHBOOBKHAN MOHAMADKHAN PATHAN EXPIRED THROUGH LRS.
RUSTUMKHAN MEHBOOBKHAN PATHAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicants : Mr. Shaikh Shoyab.
AGP for Respondents : Mr. S. S. Dande.

...
WITH CA/16141/2016 IN FA/1397/2014

...
CORAM : K.K. SONAWANE, J.

DATED : 15TH NOVEMBER, 2017.

Order :-

Heard learned counsel for applicants and learned AGP for respondents. Perused the applications.

2. The learned counsel for applicants submits that appellant Ismail Khan Maheboob Khan Pathan is no more and he breathed his last on 25th October, 2017. Thereafter, applicants immediately preferred the application for allowing his legal heirs to continue the proceedings of appeal being an appellants in this matter. The matter pertains to compensation into land acquisition proceedings. The applicants produced the documents of death certificate as well as succession certificate issued by the Grampanchayat Takviki, Taluka and District Osmanabad.

3. Considering the attending circumstances on record, there is no impediment to allow the applications. Accordingly, civil applications stand allowed in terms of prayer clause 'B'. The legal heirs of deceased appellant Ismailmailkhan Maheboobkhan Pathan are hereby permitted to caused their appearance in the proceedings of appeal being appellants by requisite amendment within two weeks. Accordingly, civil applications stand disposed of in above terms.

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