

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CA/13903/2017 IN FAST/7491/2016

SAMADHAN MANIK SHINDE (DIED) THROUGH
LRS SMT. RADHABAI SAMADHAN SHINDE AND OTHERS.

VERSUS.

THE STATE OF MAHARASHTRA AND ANR

...

Adv. for Applicants : Mr. V.V. Bhavthankar.
AGP for Respondents: Mr. S.S. Dande.

CORAM : K.K. SONAWANE, J.

DATE : 22nd November, 2017.

PER COURT:

1] Heard learned counsel for the applicant and learned AGP for the respondent State of Maharashtra. Perused the application. This is an application for bringing LR's of deceased original respondent No.6 on record.

2] Admittedly, State of Maharashtra has referred the present first appeal against original claimants aggrieved by the enhancement of compensation by the Reference Court for their acquired land. During the pendency of appeal the respondent No.6 passed away on 22.11.2015. The applicants are legal heirs of deceased Samadhan and they are intending to appear in the proceeding as his LR's.

3] The counsel for Acquiring Body has no objection.

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). The abatement of the proceeding following death of respondent No.6 is quashed

and set aside The applicants are permitted to be brought on record as respondents, being legal heirs of deceased respondent No.6. The delay caused in filing the civil application for taking LRs on record is hereby condoned. Necessary amendment be carried out within a period of two weeks.

4] The application is disposed of.

[K.K. SONAWANE]
JUDGE.

grt/-