

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

CIVIL APPLICATION NO. 13899 OF 2017
IN FA/911/2002

KASABAI JANARDHAN AGALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Ms. Lata Bade.
AGP for Respondent No.1 : Mr. S. R. Yadav-Lonikar.
Advocate for Respondent No.2 : Mr. S. S. Dande.
...

CORAM : K.K. SONAWANE, J.

DATED : 21ST NOVEMBER, 2017.

Order :-

Heard learned counsel for applicants and learned AGP as well as learned counsel for respondent- Maharashtra Industrial Development Corporation, Aurangabad. Perused application.

2. This is an application for bringing legal heirs of deceased appellant Janardhan Patilba Agale on record. The applicants are intending to incorporate their names in title clause of the appeal for pursuing the same being appellants. The applicants produced death certificate of deceased Janardhan Patilba Agale on record. It appears that he is passed away on 16th January, 2016. According to learned counsel, except the applicants, there are no any other legal heirs of deceased Janardhan Patilba Agale. Therefore, he requested that the applicants be permitted to pursue the appeal.

3. In view of nature of subject matter and submission advanced on behalf of applicants, the application stands allowed in terms of prayer clause Nos. 2, 3, 4. The applicants are permitted to incorporate their names in the title clause of appeal as appellants. The abatement of proceedings following death of Janardhan Patilba

Agale is hereby quashed and set aside by condoning the delay in bringing legal heirs of deceased appellant on record. The appellants shall carry out necessary amendment within two weeks. Accordingly, civil application stands disposed of.

[K. K. SONAWANE]
JUDGE

rrd.