

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

21 CIVIL APPLICATION NO. 14852 OF 2017
IN CA/6768/2014 IN FAST/8135/2014

SHANKARRAO NAGORAO FADTALE AND ORS.
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Applicants : Mr. Rahul D. Khadap
AGP for Respondent No. 1: Mr. S.J. Salgare
...

CORAM : K.K. SONAWANE, J.

DATED : 11TH DECEMBER, 2017.

Order :-

1. Heard learned counsel for the applicant and learned AGP for respondent-State of Maharashtra. None appears for respondent No. 2-Acquiring Body. Learned counsel for the applicants submits that respondent - State of Maharashtra has filed the appeal against impugned judgment and award passed by learned Reference Court for enhancement of compensation under section 18 of the Land Acquisition Act, 1894. The respondent-Mr. Shankarrao s/o Nagorao Fadtale is no more and he passed away in the month of January, 2016. The applicants are legal heirs of deceased respondent. They produced succession certificate issued by Gram Panchayat authority on record. In such circumstances, there is no impediment to issue directions to the appellant-State of Maharashtra to bring present applicants on record being L.Rs. of deceased respondent No. 1 by necessary amendment. Hence, the application stands allowed in terms of prayer clauses "B to C". The delay caused in filing the application for bringing

the L.Rs. of deceased respondent Mr. Shankarrao s/o Nagorao Fadtale on record is hereby condoned. The appellant-State of Maharashtra is hereby directed to carry out necessary amendment in the appeal memo within two weeks from today for bringing the L.Rs. Of deceased respondent on record.

2. The civil application stands disposed of accordingly.

Sd/-
[K. K. SONAWANE]
JUDGE

MTK.