

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 4035 OF 2018
IN FAST/28698/2016

SHIVAJI BAJIRAO AVCHAR DIED THROUGH LRS.
RAJEBHAU AND ANR.
VERSUS
EXECUTIVE ENGINEER, NIMNA DUDHANA PROJECT SELU AND ORS

...
Mr. R.S. Randive, Advocate for applicants
Mr. R.C. Patil, Advocate for respondent no.1
Mr. S.P. Deshmukh, AGP for respondent no. 2 - State
...

CORAM : SUNIL P. DESHMUKH, J.
DATE : 20-03-2018

ORDER :

1. Heard learned counsel for applicants and respondent no.1 - original appellant and other respondents.
2. First appeal is by acquiring body.
3. This is an application by legal heirs of deceased respondent no.1 in first appeal, at the instance of the legal representatives left behind by said respondent.
4. Learned counsel for original appellant and respondents herein have no objection, if the application is allowed.
5. Accordingly, civil application no. 4035 of 2018 is allowed and is disposed of.

6. Legal representatives of deceased respondent no.1 in first appeal - Shivaji Bajirao Avchar, be brought on record.

7. In view of aforesaid, delay in bringing legal representatives of deceased respondent no.1 in first appeal on record, is condoned. Abatement, if any, is set aside.

8. Amendment accordingly be carried out in the memo of appeal by the appellant within a period of four weeks from today. Such amendment may be made in the incidental applications, if any, pending.

9. Civil application no. 4036 of 2018, seeking withdrawal of amount, be placed on board on 23-03-2018.

[SUNIL P. DESHMUKH]
JUDGE

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