

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

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**CIVIL APPLICATION NO. 4078 OF 2018
IN
X-OBJECTION STAMP NO. 5950 OF 2017
IN
FIRST APPEAL NO. 3028 OF 2015**

Bhagwat Limbaji Patil (Died)
Through L.Rs. And others

... Applicants

Versus

The State of Maharashtra & ors.

... Respondents

...

Mr. Abhijit S. More, Advocate for applicants
Mr. A.M. Phule, AGP for respondents No.1 and 2
Mr. S.G. Sangale, Advocate for respondent No. 3

...

CORAM : SUNIL P. DESHMUKH, J.

DATED : 23rd MARCH, 2018.

Order :-

1. This application has been moved by legal heirs of deceased respondent No. 1-Bhagwat Limbaji Patil for bringing them on record of first appeal filed by the acquiring body. During pendency of appeal, respondent No. 1-original claimant died.
2. Learned counsel for appearing parties do not have any particular objection to grant the application.
3. In view of the same, civil application is allowed in terms of prayer clauses (B) and (C).

4. The appellant is permitted to bring on record the legal heirs of deceased respondent No. 1 – original claimant as shown in this civil application.
5. The delay caused in bringing legal heirs of deceased respondent No. 1 in appeal on record of first appeal stands condoned. Abatement of appeal, if any, is set aside.
6. Appellant to carry out amendment to title clause of memorandum of appeal immediately.
7. Civil application is accordingly disposed of.

**[SUNIL P. DESHMUKH]
JUDGE**

MTK.