

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

924 CIVIL APPLICATION NO. 8008 OF 2018
IN FAST/12776/2018 WITH
DATTATRAY @ DATTAJI BHIMRAO KONALE (DIED) THR LRS KRASHNABAI AND
ANR
VERSUS

THE EX. ENGINEER, LATUR MEDIUM PROJECT (LMP) LATUR AND ORS

Advocate for Applicants : Miss. L.R. Thakur h/f. Mr. Laxmikant C. Patil
AGP for Respondent/State :Mr. A.M. Phule.
Adv. for respondent No.1 : Mr. S.G. Bhalerao.

CORAM : K.K. SONAWANE, J.
DATE : 27TH JUNE , 2018.

PER COURT:

Heard learned counsel for applicants/original claimants and as well as learned counsel for respondent - Acquiring Body.

2. Perused application and relevant documents produced on record. Admittedly, the acquiring body has preferred appeal accompanied with Civil Application for condonation of delay against respondent Dattatray @ Dattaji Bhimrao Konale. The applicants are legal representatives of deceased respondent Dattatraya Konale and they are intending to substitute themselves in the proceedings as respondents.

3. Learned counsel Mr. Bhalerao appearing on behalf of respondent Acquiring Body has no objection to bring the LRs of deceased respondent Dattatray on record.

4. In view of the nature of subject matter and the no objection on behalf of respondent acquiring body, there is no impediment to allow the application as prayed. Hence, civil application for bringing legal representatives of deceased Dattatraya on record stands allowed in terms of prayer clause 'A' and 'B'. The delay, if any, caused for filing present

application is hereby condoned. The abatement of proceedings, if any, stands set-aside and quashed. The applicants are allowed to substitute themselves as respondents in the appeal filed by the acquiring body.. Accordingly, requisite amendment be carried out by the acquiring body within a period of four weeks. Civil application is disposed of accordingly.

[K.K. SONAWANE]
JUDGE.

grt/-