

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

CIVIL APPLICATION NO. 9403 OF 2018 IN FAST/28493/2011

SOMLA FATTU PAWAR (DIED) THR LRS NARAYAN AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS.

...
Advocate for Applicants : Mr. Kiran M. Nagarkar
AGP for Respondent No. 1 : Mr. S. P. Deshmukh

...
WITH CA/15013/2011 IN FAST/28493/2011

...
CORAM : SUNIL K. KOTWAL, J.
DATED : 05th OCTOBER, 2018.

ORDER :-

Heard learned counsel for applicants and learned AGP for respondents.

2. Learned counsel for applicants submits that due to weak financial condition of the applicants, the delay has been caused for taking steps to bring legal representatives of original appellant on record.

3. Considering the nature of litigation and ground of financial crisis, it is desirable to award fair opportunity to the applicants to get the justice on merits. Civil Application No. 9403 of 2018 is allowed in terms of prayer clauses 'B' and 'C'. Legal representatives of deceased appellant be brought on record. Civil Application No. 15013 of 2011 is allowed in terms of prayer clause 'B'. Civil Applications are disposed of accordingly.

3. First Appeal (Stamp) No. 28493 of 2011 be registered.

4. After registration, issue notice to the respondents. Learned AGP waives service of notice for respondents No.1 and 2.

5. Call for record and proceedings.

**[SUNIL K. KOTWAL]
JUDGE**

rrd.