

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

921 CIVIL APPLICATION NO. 11428 OF 2017
IN FA/4129/2016

TUKARAM RAVJI MAHAJAN [DECEASED] THROUGH LRS.
DEVIDAS TUKARAM MAHAJAN AND OTHERS

VERSUS

THE AREA MANAGER, M.I.D.C. JALGAON MIDC, JALGAON AND
ORS

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Advocate for Applicants : Mr. Kale Ajeet B.
Advocate for Respondent No.1 : Mr. G.S. Khaire
holding for Mr. S.S. Dande
A.G.P. for respondents/State : Mr. B.V. Virdhe

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CORAM : K.K. SONAWANE, J.

DATE : 14th JUNE, 2018

PER COURT :

Heard learned counsel for the applicants,
learned counsel for the respondent-M.I.D.C. and
learned A.G.P. for the respondent-State.

2. It is submitted that the respondent –
M.I.D.C. has preferred an appeal against the Judgment
and Award passed by the Civil Judge, Senior Division,
Jalgaon in L.A.R. No. 1063 of 2006. One Sushilabai @

Pramila Baliram Barhate was one of the respondent in the First Appeal, but now she is no more and she passed away on 26th October, 2010. The applicant Nos. 5 [1] to 5 [4] are the legal representatives of deceased respondent. Therefore, the applicants filed the present application for substitution in place of deceased respondent.

3. In view of facts and circumstances of the case, Civil Application No.11428 of 2017 stands allowed. The legal representatives of deceased Sushilabai @ Pramila Baliram Barhate are permitted to appear in the main proceeding. The respondent-M.I.D.C. shall carry out the necessary amendment for bringing legal representatives of deceased respondent on record within two weeks from today. The and delay caused in filing the present application stands condoned. Accordingly, the application stands disposed of.

(**K.K. SONAWANE, J.**)