

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

24 CIVIL APPLICATION NO. 2513 OF 2018  
IN FA/428/2015 WITH  
CIVIL APPLICATION NO. 2511 OF 2018.

SAYYED IRSHAD HUSSAIN ASKARI (DIED) THR LRS SAYYAD NAFIJABEGUM AND  
ORS  
VERSUS  
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION, LATUR AND ANR

...  
Advocate for Applicants : Mr. S.S. Halkude  
AGP for State : Mr. P.G. Borade.

. . .

**CORAM : K.K. SONAWANE, J.**

**DATE : 2ND JULY, 2018.**

**PER COURT:**

Heard both the learned counsel for the applicants.

Perused the applications. These are applications for bringing  
LRs of deceased respondents on record.

The learned counsel for the Acquiring body is absent. Learned  
AGP for the State is present.

Admittedly, the acquiring body has filed appeal against in all 4  
respondents/original claimants, agitating the impugned judgment and award  
passed by the Reference Court under Section 18 of the Land Acquisition Act .  
Pending the appeal, respondent No.1 Syed Irshad and respondent No.2 Syed  
Shah passed away. The applicants are the legal heirs of deceased respondent  
Nos. 1 and 2. They moved the present applications, for substituting  
themselves in the array of respondents being legal representatives of  
deceased Syed Irshad and Syed Shah.

In view of nature of subject matter there is no impediment to allow the legal heirs of deceased respondents for substitution as respondents in the present appeal filed by the acquiring body. Hence, the applications stand allowed in terms of prayer clause (B). Delay in filing present applications is hereby condoned and abatement of the proceedings as against deceased respondents stands quashed and set aside. The appellant acquiring body shall carry out the necessary amendment for bringing LR's of deceased respondent Nos. 1 and 2 on record within a period of four weeks from today. Both the civil applications are accordingly disposed of.

**[K.K.SONAWANE, J]**

grt/-