

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

913 CIVIL APPLICATION NO. 15383 OF 2017
IN FA/1189/2017

AMINSHAH LADDUSHAH (DIED) THR LRS AREFABEE AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

Advocate for Applicants : Mr. D.Ä. Bide h/f Mr. Vitthal B. Wayal
AGP for Respondents: Ms. S.S. Raut

CORAM : K.K. SONAWANE, J.
DATE : 21st JUNE , 2018.

PER COURT:

Heard learned counsel for the applicant and learned AGP for respondent State of Maharashtra. Perused the application. It is submitted that the respondent State of Maharashtra has preferred an appeal against the Aminshah Laddu Shah and agitated the judgment and award passed by; the Reference Court in LAR No. 358 of 2010. It has been submitted that the said Aminshah is no more and died in the month of January 2016. The applicants who are legal heirs of said Aminshah are intending to substitute themselves as respondents in the present proceedings. Hence, the present application has been filed.

In view of nature of subject matter, there is no impediment to allow the applicants to pursue the proceedings as LR's of deceased Aminshah in the appeal filed by respondent State under section 54 of the Land Acquisition Act, 1894.

Hence, the application stands allowed in terms of prayer clause (B). The applicants be arrayed as respondents in place of deceased Aminshah Laddushah being his LR's. Delay caused for filing the present application is hereby condoned. The abatement of proceedings is quashed

and set aside. The appellant State shall carry out the requisite amendment within a period of two weeks. Civil application stands disposed of accordingly.

[K.K. SONAWANE]
JUDGE.

grt/-