

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****BENCH AT AURANGABAD****CIVIL APPLICATION NO. 3195 OF 2019**

IN

**FIRST APPEAL NO. 886 OF 2016**

Regional Officer  
 Maharashtra Industrial Development  
 Corporation, MIDC at Latur

**..APPELLANT**  
 (Ori. Respondent No.2)

**VERSUS**

1. Madhav Vithoba Ghodke,  
 Age : Major, Occ. Agriculturist  
 R/o. Jakekur Tq. Omerga  
 Dist. Osmanabad

..Ori. Claimant

2. The State of Maharashtra  
 Through The Collector,  
 Osmanabad.

..Ori. Res. No.1

....

Mr. S.S. Dande Advocate for the Appellant

Mr. A.R. Joshi, Advocate for respondent No.1-original claimant

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**CORAM : T.V. NALAWADE AND  
 SUNIL K. KOTWAL, JJ**

**DATE : 28<sup>th</sup> FEBRUARY, 2019.**

**PER COURT :-**

Heard. Issue notice to the proposed Legal heirs. The learned counsel for the respondent No.1 submits that he waive service of notice to the proposed legal heirs.

2. Both the sides are heard on the application which is filed for condonation of delay for 1129 days caused in filing the application to bring legal heirs of deceased respondent no.1 on record. In view of the contention that the incident of death of respondent No.1 was not within

knowledge of the applicant and other submissions made sufficient cause is shown. In the result, application is allowed. Delay is condoned. Amendment to be carried out immediately to bring legal heirs on record of respondent No.1.

3. The learned counsel for the respondent No.1 submits that he waive service of notices to the proposed legal heirs after bringing the legal heirs on record.

4. Civil Application stands disposed of. Stand over to 04.04.2019.

**(SUNIL K. KOTWAL)**  
**JUDGE**

**(T.V. NALAWADE)**  
**JUDGE**

YSK/