

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

**CIVIL APPLICATION NO.4446 OF 2019
IN
FIRST APPEAL NO.5176 OF 2017**

**SHANTABAI VENKAT PAWAR (DIED) THR LRS MANGAL AND ANR
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION,
OSMANABAD AND ORS**

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Mr. V.V. Ingale, Advocate for applicant.
Mr. S.G. Sangle, Advocate for respondent No.1.
Mr. S.P. Deshmukh, AGP for respondents-State.

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 20th SEPTEMBER, 2019.

ORDER :

. Present application has been filed for getting the delay of 796 days condoned in bringing legal representatives of respondent No.1 in appeal on record.

2. Deceased Shantabai had filed reference under Section 18 of the Land Acquisition Act i.e. L.A.R. No.13 of 2006. It was decided by the reference Court on 22.10.2013 and respondent No.1-Shantabai expired on 26.09.2016. Under such circumstance, though it would have been the job of the acquiring body, who had filed the appeal, to bring the legal

representatives of respondent No.1 on record in the appeal, the legal representatives have filed this application. Hence, the delay is condoned.

3. Civil Application stands allowed.

4. Acquiring body to carry out the amendment within a period of 14 days.

(SMT. VIBHA KANKANWADI, J.)

SCM