

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1 FIRST APPEAL NO.1360 OF 2003

CIDCO AURANGABAD THROUGH ITS ADMINISTRATOR
VERSUS
MANIKCHAND GHISULAL & ORS

CORAM: H.M.BHOSALE
REGISTRAR (JUDL)

DATED: 19 / 11 /2019

1. Having regard to the office note, it transpires that respondent no.1 Manikchand Ghisulal had filed L.A.R. No. 10/80 against State of Maharashtra and CIDCO through its Administrator. The first appellate court viz. Additional District Judge, Aurangabad pleased to allow the land reference partly and directed State of Maharashtra as well as CIDCO to pay the sum determined by the first appellate court.

2. Aggrieved by the order of the Additional District Judge, Aurangabad dated 08/08/2003, original respondent no.2 CIDCO has preferred this appeal against the claimant Manikchand Ghisulal i.e. respondent no.1 and State of Maharashtra has made formal party.

3. The son of respondent no.1, vide pursis dated 03/01/2019

intimated that his father i.e. respondent no.1 has died on 31/07/2010. He appended the death certificate issued by the Municipal Corporation, Aurangabad. This fact has been noted by the learned Advocate for the appellant on 14/10/2019. However, no effective steps have been taken till today to bring on record L.Rs. of respondent no.1.

4. The period of limitation to bring on record L.Rs. as per the Limitation Act has come to an end. However, the appellant has got knowledge on 14/10/2019. Therefore, following order is passed in the interest of justice.

ORDER

Appellant shall take steps to bring on record L.Rs. of respondent no.1 on or before 14/01/2020. On his failure to take steps, the appeal would stand abated against respondent no.1 automatically. As respondent no.1 is sole contestant, if no steps are taken, the appeal would stand disposed of automatically without any further order.

REGISTRAR (JUDL)