

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

**1068 CIVIL APPLICATION NO.9770 OF 2019
IN FAST/949/2018
WITH CA/9771/2019 IN FAST/953/2018**

**VISHWAMBAR DIGAMBAR MAGAR (DIED) THR LRS EKNATH AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS**

...
Advocate for Applicants : Mrs. L.R. Thakur h/f Mr. Patil Laxmikant C.
AGP for Respondents/State : Mr. S.P. Deshmukh
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 4th OCTOBER, 2019.

ORDER :

. Both these applications have been filed on behalf of the legal representatives of original respondents for condonation of delay and bringing them on record. It is to be noted that both the respondents/original claimants died after the pronouncement of the judgment by the learned reference Court and in view of the fact that when the legal representatives themselves are coming suo moto before the Court, there is no question of delay. Delay, if any, stands condoned.

2. Since the appellants has filed the appeals challenging the amount of compensation granted to the original claimants, the right to sue

survives against the present applicants. Hence, they are necessary parties. Therefore, the applications stand allowed.

3. Appellants to carry out necessary amendment in the title clause of appeals as well as applications therein.

4. Civil Applications stand disposed of accordingly.

(SMT. VIBHA KANKANWADI, J.)

SCM