

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

**915 CIVIL APPLICATION NO.14088 OF 2019
IN FA/1782/2016**

**SHANTABAI TATYARAO PAYGAVHAN (DIED) THR LRS SUMANABAI AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR**

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**Advocate for Applicants : Wayal Vitthal B
AGP for Respondents: Y.G.Gujrati
Adv.D. B. Pawar For R/2**

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**CORAM : MANGESH S. PATIL, J.
DATE : 10.12.2019**

PC. :-

Heard both the sides.

2] The acquiring body had preferred the First Appeal No.1782/2016 being aggrieved and dissatisfied by the judgment and award passed by the Reference Court under Section 18 of the Land Acquisition Act. It appears that the appeal was withdrawn by the acquiring body before the Lok Adalat on 14/9/2019.

3] It appears that the original claimant Shantabai Tatyrao Paygavan who was the sole claimant died on 4/3/2019. The application has been filed by her Legal Representatives for being brought on the record of the First Appeal, so as to enable them to claim the compensation.

4] The appeal has been simply withdrawn by the acquiring body therefore, though the claimant had died before the Appeal was withdrawn, the effect is

inconsequential.

5] The application is allowed. The Legal Representatives of the deceased claimant are allowed to be brought on record. The acquiring body-appellant shall carry out necessary amendment in the Appeal Memo within 2 weeks.

6] The Application is disposed of.

[MANGESH S. PATIL, J.]

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