

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 513 OF 2019

IN

STAMP NUMBER MAIN NO. 1946 OF 2019

HIRALAL P. GUDEKAR (DEC) THR.
LRS.,

... Applicant

Versus

RUPSI TOPAN AND 3 ORS.,

... Respondents

Mr. Dinesh Eknath Naik, Advocate for the Applicant.
Ms. Susan Linhares, Additional Government Advocate for the
Respondent no.4.

Coram:- C. V. BHADANG, J.

Date:- 25th July, 2019

P.C.

This is an application for bringing the legal representatives of Mr. Hiralal P. Gudekar, on record who was the party no.3 before the reference Court in Land Acquisition Case No.28/2011.

2. The record discloses that Mr. Hiralal P. Gudekar, expired in September 2015 and the reference Court had directed the Mamlatdar to ascertain the details of his legal representatives and to furnish their names. The Mamlatdar furnished the names and addresses of the legal representatives of Mr. Hiralal P. Gudekar on 05.11.2016 and notices were issued by the reference Court to the legal representatives. The record further discloses that one

Mr. Viraj Gudekar, being the legal representative of Mr. Hiralal P. Gudekar, appeared before the reference Court on 18.08.2017 and contested the reference. However, the cause title of the reference was not formally amended to show Mr. Hiralal P. Gudekar as deceased.

3. The office appears to have raised an objection that the cause title in the impugned judgment of the reference Court does not match with the cause title of the appeal memo in which all the legal representatives of Mr. Hiralal P. Gudekar are shown as appellants. Thus, the present application can only be seen as one for putting the record straight, inasmuch as the names and addresses of Mr. Hiralal P. Gudekar were furnished before the reference Court, they were noticed and one of the legal representatives had also taken part in the proceedings.

4. In that view of the matter, the present application is allowed as prayed. The office to register the appeal subject to removal of any other office objections.

C. V. BHADANG, J.

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