

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 2073 OF 2018
IN
FIRST APPEAL NO. 1128 OF 2004**

Raibai Bama Patil (since deceased
through legal heirs) :
Padu Bama Patil (deceased) :
Indira Padu Patil and ors.Applicants

In the matter between :-
Dharma Kalya Kamothkar and ors.Appellants
V/s.
The Special Land Acquisition Officer,
RaigadRespondent

Ms. Deepa Punde i/b. Mr. Sachin Pune for the applicants.
Ms. Anamika Malhotra, AGP for respondent.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 04th OCTOBER, 2019**

P.C.:-

. By this application, the applicants have sought to condone the delay of 12 years and 104 days in filing this application and further to bring on record the legal representatives of deceased appellant no.3.

2. The appellants have filed the appeal challenging the judgment and award passed by the Reference Court LAR No.3/1995 under section 18 of the Land Acquisition Act.

3. It is seen that the other co-owners of the property are already on record as respondent nos.1, 2, 4 to 7. Considering this fact and also considering the reasons stated in paragraph 4, 5 and 6 of the application, abatement as against the appellant no.3 is set aside and the legal representatives of the appellant no.3 are ordered to be brought on record subject to payment of costs of Rs.10,000/- to be paid to Juvenile Justice Fund. Cause title be amended within a period of two weeks.

4. Civil Application No.2073 of 2018 stands disposed of.

5. Appeal be listed on 25/11/2019.

**Preeti H.
Jayani**

Digitally signed by
Preeti H. Jayani
Date: 2019.10.10
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(SMT. ANUJA PRABHUDESSAI, J.)