

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.188/2019
IN
CROSS OBJECTION STAMP NO.13110/2018

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.A.R.Patil, AGP for respondent.
Mr.S.S.Punde for applicant.

CORAM : K.K.TATED, J.
DATED : JUNE 04, 2019.

P.C.

Heard learned counsels for parties.

2. By this Civil Application, the applicants/legal heirs of deceased/Respondent no.2, are seeking permission to carry out appropriate amendment in Cross Objection (Stamp) No.13110/2018 for bringing them on record.

3 Learned counsel for applicants submit that, in the present proceeding, the appellant/State of Maharashtra filed First Appeal No.974/2017 challenging Judgment and Award passed by the reference Court. He submits that the original claimants preferred Cross Objection application

in First Appeal. He submits that the original claimants/respondent no.2 Hasuram Jabru Patil died on 23.9.2016. He submits that, for want of knowledge about pendency of present proceeding, there is delay in filing present application. He submits that, in the interest of justice this Court, be pleased to condone the delay. He submits that, if delay is not condoned, irreparable loss will be caused.

6. Considering the submissions made by the learned counsel for applicants, averments made in Civil Application, I am satisfied that applicants have made out a case for allowing application. Hence, the following order.

a) Civil Application is allowed in terms of prayer clauses (A), (B) and (C) which reads thus:

"A) This Hon'ble High Court be pleased to condone the delay, if any, in preferring the present Civil application.

B) This Honourable High Court be pleased to set aside abatement of present proceedings against Respondent no.2.

C) This Honourable High court be pleased to permit applicants to bring

their names on record by carrying out necessary amendment in the title of First Appeal as well as Cross Objection."

b) Applicants to carry out amendment in Cross Objection (Stamp) No.13110/2018 on or before 06.07.2019 failing which, the Civil Application shall stand dismissed without referring back to the Court.

c) If amendment is carried out within stipulated time, applicants to serve the amended copy of Cross Objection Application, on other side.

d) Civil application stands disposed of accordingly.

e) No order as to costs.

(K.K.TATED, J.)