

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.F. NO. 1481/2016 IN FIRST APPEAL ST. NO. 24051/2015
 (THE STATE OF MAHARASHTRA & OTHERS **VERSUS** VIKAS PUNDLIK YENURKAR & OTHERS)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

 Mrs. H.N. Prabhu, A.G.P for appellants.
 Shri C.R. Najbile, counsel for non-applicants.

CORAM : A.S. CHANDURKAR, J.
DATE : JANUARY 23, 2019.

C.A.O. NOS. 161/2019, 162/2019 AND 163/2019.

Notice on all these applications is made returnable forthwith.

Learned counsel Shri C.R. Najbile waives notice on behalf of all the non-applicants.

By these applications, it is prayed that legal heirs of respondent no.6 who expired on 18.10.2012 be permitted to be brought on record.

It is stated that the acquiring body was not aware of the fact of death of the said respondent. This aspect was also not brought on record before the Reference Court.

The record indicates that in L.A.C. No.99 of 2005, the estate of the deceased was represented by the other members of the family who are pursuing the proceedings. Considering the fact that the death of respondent no.6 was not brought to the notice of the Reference Court coupled with the fact that his estate was partly represented, the applications are allowed. After condoning the delay and setting aside abatement, the legal heirs are permitted to be brought on record.

All the civil applications are disposed of.

JUDGE

APTE