

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

943 CIVIL APPLICATION NO.2114 OF 2019
IN FA/148/2016

BHAURAO NAMDEO SELKE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Mr. R.T. Deshmukh
AGP for Respondents: Mr. S.P. Tiwari.

CORAM : K.K. SONAWANE, J.

DATE : 11th FEBRUARY, 2020.

PER COURT:

Heard learned counsel for the applicant and learned AGP for respondent No.1. No one else appeared on behalf of respondent Nos. 2 and 3. It has been contended that the original claimant including deceased Arjun Bhaurao Selke filed LAR No. 164 of 2006 for enhancement of compensation under section 18 of the Land Acquisition Act. The learned Reference Court partly allowed the petition and granted meager compensation amount. Being dissatisfied with the amount awarded, the deceased Arjun and other claimants preferred First Appeal No. 148 of 2016 to redress their grievances. However, pending appeal appellant Arjun Bhaurao Selke passed away on 9th July, 2016. The applicant Nos. 3A to 3C are the legal heirs of the deceased appellant Arjun Shelke and they are intending to substitute themselves as appellants in the proceeding in place of deceased Arjun Shalke. Therefore, they preferred the present application.

2] In view of submission and nature of subject matter, I do not find any impediment to allow the applicants to join the present

proceeding as legal heirs of deceased Arjun Shalke. Definitely, it would sub-serve the purpose for substantial Justice. Hence, the application stands allowed in terms of prayer clauses (B) and (C) . The applicant Nos. 3A to 3C are hereby permitted to substitute themselves as appellants in place of deceased appellant Arjun Bhaurao Selke. Delay caused for filing the present application is hereby condoned. The appellant to carry out requisite amendment within two weeks. Accordingly, the application stands disposed of.

[K.K. SONAWANE]
JUDGE.

Grt/-.