

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO.11739 OF 2019 IN FA/641/2018

MUKUND PURUSHOTTAM TAPASVI (DEAD) THR LRS SUSHMA AND ORS
VERSUS
MUNICIPAL CORPORATION, AURANGABAD THR ITS AUTHORIZED
OFFICER, AND ORS

...
Advocate for Applicants : Mr. Siddharth R. Deshpande
Advocate for Respondent No.1 : Mr. Anand P. Bhandari
AGP for Respondents No.2 and 3 : Mr. S. P. Deshmukh
...

CORAM : K.K. SONAWANE, J.

DATED : 04th FEBRUARY, 2020.

ORDER :-

Heard learned counsel for the applicants and learned counsel appearing for respondent No.1 Municipal Corporation Aurangabad as well as learned AGP for respondents No.2 and 3 - State of Maharashtra and SLAO. Perused the application and other relevant documents produced on record.

2. Present application is filed seeking expeditious hearing of proceeding of First Appeal No. 641 of 2018 on merit. It has been contended that the applicants are the original claimants, who are respondents in the proceedings of first appeal. Applicant No.1-A is 67 years old, whereas, applicant No.2-A is 74 years old. Both applicants No.1-A and 2-A are senior citizens. The 60 % compensation amount has already been kept reserved in Fixed Deposit Receipt Account till adjudication of the first appeal on merit. The pendency of first appeal

prevented the respondents-claimants to enjoy fruits of the impugned Award. In view of their old-age, learned counsel requested to adjudicate the proceedings of First Appeal at the earliest. Learned counsel shown inclination to produce private paper book. He requested to list the proceeding of first appeal for final hearing on merit as early as possible.

3. In view of submission, there is no impediment to list the proceeding of first appeal for final hearing on merit subject to production of private paper book on record within period of four weeks. Meanwhile, call for record and proceeding from the concerned Reference Court. In case, private paper book produced on record within stipulated period, formalities of print, paper book, etc. are dispensed with.

4. List the proceeding of First Appeal No. 641 of 2018 for final hearing on merit on 17th March, 2020, subject to compliance of procedural formalities.

5. Accordingly, the Civil Application stands disposed of.

Sd./-

[K. K. SONAWANE]
JUDGE

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