

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

942 CIVIL APPLICATION NO.12850 OF 2019
IN FAST/1720/2019 WITH CA/12849/2019 IN FAST/1720/2019

LAXMIBAI @ DHONDABAI GOVIND PATIL (DIED) THR LRS PRIYANKA AND
ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

Advocate for Applicants : Smt. L.R. Thakur, h/f. Mr.Laxmikant C. Patil
AGP for Respondents: Mr. R.B. Bagul.

CORAM : K.K. SONAWANE, J.

DATE : 29th JANUARY, 2020.

PER COURT:

Heard learned counsel for the applicant, learned AGP for respondent No. 1.

2. Perused application and relevant documents produced on record. Admittedly, deceased appellant namely Laxmibai Dhondabai Govind Patil filed reference petition under Section 18 of the Land Acquisition Act for enhancement of compensation. The Reference Court partly allowed the application and granted enhancement of compensation amount. However, pending appeal, the appellant Laxibai died on 24.9.2015. The applicants being legal representatives of deceased appellants filed present applications seeking permission for substitution in the proceedings as legal representatives of deceased applicants respectively on record by condoning the delay, if any, for filing the present petition.

3. In view of reasons mentioned in the application and the attending circumstances on record as well as nature of subject

matter,there is no impediment to allow the applications as prayed. Hence, civil applications for bringing legal representatives of deceased Laxmibai stands allowed in terms of prayer clause 'A' and 'B'. The delay, if any, caused for filing present application is hereby condoned. The abatement of proceedings against deceased appellants stand set-aside and quashed. The applicants be allowed for substitution in the proceedings as co-applicants/appellants. Registry to take note about the same. Accordingly, application stands disposed of. Requisite amendment be carried out within a period of three weeks.

[K.K. SONAWANE]
JUDGE.

Grt/-.