

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

**934 CIVIL APPLICATION NO.792 OF 2020
IN RC/84/2020**

PREMNATH RAGHUNATH GAIKWAD (DIED) THR LRS HIRKANABAI
AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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**937 CIVIL APPLICATION NO.798 OF 2020
IN RC/85/2020**

MARUTI GENE SURYAWANSHI (DIED) LRS SONABAI AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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Advocate for Applicants : Mr.M.R.Malpani h/f. Mr.Ajeet B. Kale
AGP for Respondents No.1 & 2 : Mr.Y.G.Gujrathi and
Mr.S.P.Deshmukh in respective matters.

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CORAM : K. K. SONAWANE, J.
Date: January 23, 2020

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PER COURT :-

1. Heard learned counsel for the applicants and learned AGP for respondent-State of Maharashtra. Perused the applications and other relevant documents placed on record.

2. It appears that the appellant-State of Maharashtra preferred First Appeal (Stamp) No.33637 of 2018 against respondent-claimant Premnath Raghunath Gaikwad and First Appeal (Stamp) No.33633 of 2018 against respondent-claimant Maruti Gena Suryawanshi (Kilje). But pending the appeals, the sole respondent-claimant in respective matters passed away.

Their legal heirs were not brought on record by the appellant-State of Maharashtra. Therefore, proceedings stand abated against sole respondent-claimant in respective matters after efflux of stipulated period. Therefore, the applicants have no way concerned at all with the aforesaid proceedings as their names are not brought on record on behalf of the appellant-State of Maharashtra by adopting the legal procedure.

3. In such circumstances, both the applications being inapt and premature stand dismissed.

(K.K.SONAWANE)
JUDGE

SPT