

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CAF No.236 of 2020 in First Appeal No.1185/2017
 (Sanjay Motiram Dhabale and others - Applicants-Intervenor)
 The Executive Engineer, Bemble Project, Yavatmal

vs.

Vijay Motiramji Dhabale and others

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

Court's or Judge's order

.....
 Shri P.B.Patil, Advocate for the Appellant.
 Shri A.B.Nakshane, Advocate for respondent no.1.
 Shri K.L.Dharmadhikari, AGP for respondent nos.3 and 4.

CORAM : MILIND N. JADHAV, J.

DATED : 13/01/2020.

Heard learned counsel appearing for the
 Applicants/Intervenors.

2. The Applicants-Intervenors are legal representatives of deceased Respondent no.2 i.e. Motiramji Bajiraoji Dhabale, who expired on 2.3.2016, the application has been taken out on 21.11.2019, admittedly after a lapse of long time. The application is devoid of any reasons for the delay.

3. Shri Patil, learned counsel appearing for the Appellant, does not seriously object to grant of the present application. The stand taken by Shri Patil, in the facts and circumstances of the case, is appreciated by this Court.

4. In view of the above and for the reasons stated in the application, the application is allowed. The Appellant shall carry out proper and necessary amendment of the impleadment of newly added Respondents 2A to 2D as proper and necessary parties in place and stead of deceased respondent no.2 forthwith.

5. This is so because both learned counsel have shown their readiness and willingness to argue the present First Appeal on the basis of decided cases, which are similarly placed as also part of the same Notification dated 31.7.2003 issued under Section 4 of the Land Acquisition Act , 1894 and the same is taken up for hearing forthwith.

6. This being the position, Civil Application is disposed of, with a direction to carry out the amendment of impleadment forthwith.

7. Civil Application is disposed of accordingly.

JUDGE

Ambulkar