

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

942 CIVIL APPLICATION NO.5390 OF 2021
IN FA/145/2020
WITH
CA/5389/2021 IN FA/145/2020

MADHUKAR GOVIND KHANDADE (DIED) THR LRS DAIVSHALA AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

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Mrs. P.G. Sontakke, Advocate for applicants
Mr. A.B. Chate, AGP for respondent Nos.1 and 2
Mr. S.B. Patil, Advocate for respondent Nos.3 and 4

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CORAM : SMT. VIBHA KANKANWADI, J.
DATE : 15th JUNE, 2021.

PER COURT :

1 Present application has been filed by the respondent in First Appeal to bring the legal representatives of the original respondent. In fact, it appears that the original respondent Madhukar Govindrao Khandade expired on 25.08.2016, whereas the Judgment has been delivered in his matter along with other group by the learned reference Court on 28.02.2018. That means, prior to pronouncement of the said Judgment claimant before the reference Court had expired and there was no attempt by the present

applicants to get themselves brought on record.

2 Now, the acquiring body has no objection to bring the legal representatives on record. Further, the legal position can be seen that though the original claimant has expired, that decree was passed in favour of deceased and, therefore, there is no hurdle in bringing the present applicants on record.

3 Application stands allowed.

4 The learned Advocate for the original appellant before this Court to carry out the necessary amendment within two weeks.

5 Application stands disposed of accordingly.

6 Place the matter for further consideration as regards Civil Application No.5389 of 2021 on 01.07.2021 after the amendment is carried out.

(Smt. Vibha Kankanwadi, J.)