



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

FIRST APPEAL NO.292 OF 2018

M.I.D.C. THR. ITS CHIEF EXECUTIVE OFFICER
VS
MALTIBAI W/O SHALIGRAM DANDAGE AND ANR

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

Court's or Judge's order

Mr. Parth Sagdeo, h/f Mr. M.M. Agnihotri, Advocate for the appellant/s
Mr.M.A. Kadu, AGP for the respondent-State

CORAM : ROHIT W. JOSHI, J.

DATE : 28th January, 2025

1. The respondent No.1, who is the original claimant, is reported to be dead as per Bailiff report dated 07.02.2019. Since then, the appellant is unable to trace out the legal representatives of deceased respondent No.1.
2. The learned counsel for the appellant also states that some investigation was also made in order to trace out the legal representatives, however, all attempts in that regard have failed. The learned counsel for the appellant also makes a statement that nobody has come forward to execute the award impugned in the present appeal.
3. It is a matter of record that the amount deposited in this court is not yet withdrawn and nobody has come forward, claiming the said amount. It is well settled that upon death of a party to a proceeding, the proceeding abates by operation of law, if the legal representatives are not brought on record within the prescribed period.

4. The present appeal stands abated against the respondent No.1, since the legal representatives have not been brought on record.
5. However, as and when any person approaches for execution of the award impugned in the present appeal or moves for withdrawal of the amount, the appellant shall be duly noticed and will be at liberty to move appropriate application for condonation of delay, setting aside abatement and bringing legal representatives on record.
6. With these observations, the appeal stands **disposed of**.

(ROHIT W. JOSHI, J.)