

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3679 OF 2022 IN
FIRST APPEAL NO. 2485 OF 2021 WITH
CIVIL APPLICATION NO. 4974 OF 2018 IN
FIRST APPEAL NO. 2485 OF 2021

Raghunath Sonu Kale (deceased)
through legal heirs

Applicants

Versus

Maharashtra Industrial Development
Corporation, through its Area Manager,
Jalgaon & others

Respondents

Mr. S. A. Mulla, advocate holding for Mrs. U. V. Yadav, advocate for
Applicants

Mr. S. R. Yadav Lonikar, AGP for Respondents No. 2 & 3.

CORAM : SANDIPKUMAR C. MORE J.

DATE : 24th August, 2022.

PC :

Heard learned Counsel for the applicants as well as
learned AGP for Respondents No. 2 and 3. None for Respondent
No.1 – acquiring body.

2 This an application for bringing legal heirs of Applicant
No.2 on record, who is original Respondent No.2, as mentioned in
the application. There appears huge delay in filing this
application. However, another application bearing C. A. No.
4974/2018 filed by acquiring body, for the same purpose, is also

pending. In addition to the prayer for bringing on record legal representatives of deceased Applicant No.2, the applicants have also prayed for deletion of name of applicant no.9/1 Tulsabai Daulat Kale, who is also no more but her legal representatives are already on record.

3 In view of the same, considering the reasons stated in the application, the application is allowed in terms of prayer clause “B”. The original appellant-acquiring body is directed to bring on record the legal representatives of deceased Applicant No.2- Jagannath Raghunath Kale, as mentioned in the application and also to delete the name of applicant no. 9/1 – Tulsabai Daulat Kale within the stipulated period. C. A. No. 3679/2022 is accordingly disposed of.

4 In view of disposal of this application, pending Civil Application No. 4974 of 2018, for similar purposes, also stands disposed of.

Appeal be listed for admission on 14.09.2022, after removal of office objections.

(SANDIPKUMAR C. MORE)
JUDGE

adb