

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

17 CIVIL APPLICATION NO.8809 OF 2022
IN FA/1858/2009

GUNDAPPA VITHAL PANDHARPURE (DIED) THR LRS. DWARKABAI AND
OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR

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Advocate for Applicants : Mr. Ingale Vivekanand V.
AGP for Respondents/State : Mr. A.B. Chate

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CORAM : S.G. DIGE, J.
DATE : 20th June, 2022

PC.:-

Heard learned counsel for the applicants and respondent.

2. Learned counsel for the applicants submit that original claimant- Gundappa Vithal Pandharpure has died during the pendency of the appeal. Hence his legal heirs be taken on record. There is delay of 2408 days for filing this application, it be condoned.

3. Heard learned AGP. The appeal is filed by the State against the order of trial Court. The State was not aware about the death of claimant which was the duty of the learned counsel for the respondent / claimant to inform the State about the death of respondent/claimant. Be that it may so

the respondent-original claimant has died, hence delay for filing this application is condoned and application is allowed. Appellant to take steps within two weeks from today.

4. Stand over to 20.09.2022.

[S.G. DIGE, J.]