

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

905 CIVIL APPLICATION NO. 7773 OF 2019
IN
FIRST APPEAL NO.1246 OF 2006 WITH

RAJENDRA NARAYANRAO GAIKWAD (DIED) THROUGH LRS
SACHINRAJENDRA GAIKWAD AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

Mr M.R. Malpani, Advocate h/f Mr A.B. Kale, Advocate for applicants
Mr S.G. Sangle, A.G.P. for respondent no.1
Mr D.P. Palodkar, Advocate for respondent no.2/acquiring body

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 1st March, 2022

PER COURT :

1. It is an application for bringing on record the legal heirs of original claimant Rajendra Naraynrao Gaikwad.
2. Heard Mr Malpani, learned Counsel for applicants, Mr S.G. Sangle, learned A.G.P. for respondent no.1 and Mr D.P. Palodkar, learned Counsel for respondent no.2/acquiring body.
3. Even though there is delay in bringing on record the legal heirs of original claimant, it is necessary to allow this application by condoning the delay having regard to the nature of dispute. The appeal is for enhancement of compensation arising out of compulsory acquisition case. Certainly, prayer needs to be allowed.

ORDER

- (i) The Civil Application is hereby allowed in terms of prayer clauses (B) and (C).

- (ii) The appellants to carry out the amendment in appeal memo within two weeks from today and provide copy of amended appeal memo to the other side.
- (iii) The Civil Application is disposed of accordingly.

(SHRIKANT D. KULKARNI, J.)

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