

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

**CIVIL APPLICATION NO.11511 OF 2022 IN  
FIRST APPEAL ST. NO. 8437 OF 2019**

Apparao Babarao Ranmale (died)  
through L.Rs.

Applicants

Versus

The Executive Engineer, Osmanabad  
Minor Irrigation Division & others

Respondents

**WITH  
CIVIL APPLICATION NO.11512 OF 2022 IN  
FIRST APPEAL ST. NO. 8442 OF 2019**

Venunath Vitthal Mahamuni (died)  
through L.Rs.

Applicants

Versus

The Executive Engineer, Osmanabad  
Minor Irrigation Division & others

Respondents

Mr. R. D. Biradar, advocate for the Applicants  
Mr. S. G. Sangle, advocate for Respondent No.1.  
Mr. P. N. Kutti, AGP for Respondents No. 2 & 3.

**CORAM : SANDIPKUMAR C. MORE, J.**

**DATE : 10<sup>th</sup> August, 2022.**

**PC :**

In both these applications, the applicants, who are the legal heirs of the original claimants, are seeking condonation of delay in bringing themselves on record.

The learned Counsel for the applicants seeks leave to make an amendment in the prayer clause to the effect that these L. Rs. be brought on record in the appeal as well as delay condonation applications bearing CA Nos. 4055 of 2020 and 4057 of 2020 filed by the acquiring body.

Leave, as prayed for, is granted. Though there is an inordinate delay, but the appeal is filed by the acquiring body and the statutory right to defend is still available to the legal representatives of the original claimants. Accordingly, for the reasons stated in the applications, C. A. Nos.11511 of 2022 and 11512 of 2022 are hereby allowed. The learned Counsel for the appellant-acquiring body is directed to carry out the amendment accordingly in the delay applications as well as appeals forthwith.

Stand over to 24.08.2022.

**(SANDIPKUMAR C. MORE)**  
**JUDGE**

adb