

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

915 CIVIL APPLICATION NO.13223 OF 2021
IN FAST/29984/2016

ASARAM DADARAO BAGAL (SINCE DECEASED) THR. LRS.
SUBHASH ASARAM BAGAL

VERSUS

THE STATE OF MAHARASHTRA,
THROUGH COLLECTOR, JALNA AND OTHERS

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Advocate for Applicant : Mr. Arun H. Koralkar.

AGP for Respondent/State: Mr. S. G. Sangle.

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CORAM : **SHRIKANT D. KULKARNI, J.**

DATE : 03rd March, 2022.

P.C.:

. It is an application to bring on record legal heirs of sole appellant/claimant.

2 Heard Mr. Koralkar, learned counsel for applicant and Mr.Sangle, learned AGP for respondent Nos.1 and 2. Though notice is duly served, none present for respondent No.3/acquiring body when the matter is called out.

3 Mr. Sangle, learned AGP for respondent Nos.1 and 2 opposed to allow this application.

4 Mr. Koralkar, learned counsel for appellant/applicant submits that it is an appeal arising out of land acquisition proceeding and having regard to the nature of dispute this application to bring on record legal heirs needs to be allowed.

5 Having regard to the submissions of the learned counsel for appellant/applicant and learned AGP and looking to the nature of dispute arising out of land acquisition proceeding, it is necessary to allow this application by condoning the delay, if any. Hence, the following order is passed.

ORDER

- I. The application is hereby allowed in terms of prayer clause A (I) by condoning the delay, if any.
- II. The appellant to bring on record the legal heir of original claimant Asaram Dadarao Bagal by making necessary amendment in the array of appeal memo and provide copy of amended appeal memo to the Court as well as to the State and acquiring body within four weeks.
- III. After making necessary amendment so as to bring on record legal heirs, this appeal be listed

before the Lok-Adalat scheduled on 12th March, 2022, as per the request of Mr. Koralkar, learned counsel for appellant.

IV. The civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

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