

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

916 CIVIL APPLICATION NO.13991 OF 2021
IN FA/1766/2018

PANDURANG VITHAL BAGAL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH COLLECTOR, JALNA AND OTHERS

...
Advocate for Applicant : Mr. Arun H. Koralkar.
AGP for Respondent/State: Mr. S. G. Sangle.
...

CORAM : **SHRIKANT D. KULKARNI, J.**
DATE : 03rd March, 2022.

P.C.:

. It is an application to bring on record legal heirs of appellant Nos.2 and 3/claimant Nos.2 and 3.

2 Heard Mr. Koralkar, learned counsel for applicants 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 appellants/applicants 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 appellants/applicants 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 appellants to bring on record the legal heirs of original claimant Nos.2 and 3 namely Shrirang Vithoba Bagal and Kailas Babasaheb 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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