

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

910 CIVIL APPLICATION NO.13358 OF 2021
IN FA/546/2004 WITH CA/2895/2003 IN FA/546/2004

GANGADHAR IRRANAN CHAMELE (DIED)
THR LRS. TULSABAI VITTHAL
SOMTHANE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA
THROUGH COLLECTOR, NANDED AND OTHERS

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Advocate for Applicants : Mr D.M. Pingale
AGP for Respondent Nos.1 and 2/State : Mr S.P. Deshmukh
Advocate for Respondent No. 3 : Mr G.S. Khaire h/f Mr S.S. Dande

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 4th March, 2022

PER COURT :

1. Mr D.M. Pingle, learned counsel for the applicants undertakes to remove office objections forthwith which is in respect of incorrect spelling of applicant No.1B. Undertaking is accepted.
2. It is an application for bringing on record legal heir of original claimant/respondent No. 2 - Gangadhar Irranan Chamele, who died on 1st December, 2015.
3. Heard Mr Pingle, learned counsel for the applicants, Mr S.P. Deshmukh, learned AGP for respondent Nos. 1 and 2/State and Mr G.S. Khaire holding for Mr S.S. Dande, learned counsel for respondent No.3/MIDC. Even though there is delay of more than 2086 days in filing this application, it needs to be condoned having regard to the nature of dispute regarding enhancement of compensation arising out of land acquisition proceedings.

ORDER

- (i) The application is hereby allowed in terms of prayer clause (B) and (C).
- (ii) The appellants to carry out necessary amendment in the title clause of the appeal memo by bringing on record legal heirs of respondent No.1 - Gangadhar Irranan Chamele shown in para No.2 of this application.
- (iii) The appellants to comply the order within a period of four weeks.
- (iv) The civil application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)

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