

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL NO. 35 OF 1993

State of Maharashtra
(Through Spl. Land Acquisition Officer) ..Appellant/Applicant.

v/s.

Shankar Narayan Naik & Ors. ..Respondents

Mr. N.A.Patil AGP for the Appellant/Applicant-State.

**CORAM : ANUJA PRABHUDESSAI, J.
DATED : 2nd AUGUST, 2022.**

P.C.

1. By order dated 12.7.2022, the learned AGP was directed to take necessary steps to bring on record the legal representatives of deceased Respondent Nos.1 and 5- Original Plaintiffs. Till date, no application has been filed. Learned AGP is unable to state whether compensation has been deposited as per the conditional order dated 20.04.1993.

2. The LAO had awarded compensation of Rs.5/- per sq. meter which has been enhanced to Rs.20/- per sq. meter. Learned AGP was directed to verify whether the appeal is covered by G.R. dated 3.11.2016. Learned AGP has not received any instructions in this regard.

3. The appeal was admitted on 27.01.1993. The conduct of the appellant, as noted above, is too casual. Since Respondent Nos.1 and 5-

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Original Claimants have expired and the legal representatives are not brought on record within time, proceeding stands abated against the respondent Nos.1 and 5. Consequently, the award becomes final as against these respondents-Claimants. In the event the appellants succeed in the appeal, there will be inconsistent decree which is not permissible under law. Hence, appeal stands dismissed.

(ANUJA PRABHUDESSAI, J.)