

Monday, 7th March, 2022

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**INTERIM APPLICATION NO. 1151 OF 2022
(for restoration)**

IN

FIRST APPEAL NO. 862 OF 2005

WITH

**INTERIM APPLICATION NO. 1152 OF 2022
(for bringing legal heirs on record of deceased sole
respondent and respondent no.1 on record)**

IN

FIRST APPEAL NO. 862 OF 2005

THE STATE OF MAHARASHTRA, THR.

THE SPECIAL LAND ACQUISITION

OFFICER NO.8)

} APPLICANT

V/S.

TULSHIRAM MARUTI RODE (DEAD)

THR. THEIR LRS. SACITRIBAI

TULSHIRAM RODE (DEAD)

AND ORS.

} RESPONDENTS

*** * * ***

Mr. A.R. Patil, AGP Advocate for the appellant-State.

**Ms. Urvi Maru i/by. Pallavi Potnis, Advocate for respondent
no.1.**

Coram : Sandeep K. Shinde, J.

*Monday, 7th March, 2022***Monday, 7th March, 2022.****P.C. :**

1) In view of the self-operative order dated 20th February, 2020 passed by the Registrar, (Judl-II), the appeal abated against deceased respondent no.1. State has moved Interim Application No. 1152 of 2022 to bring the legal representatives of deceased sole respondent on record with a prayer that the delay caused therein, be condoned.

2) Heard learned Counsel for the parties.

3) For the reasons stated in the application, the delay is condoned. The order of abatement is set aside. As a consequence, application to bring the legal heirs of deceased sole respondent is allowed. Consequential amendments shall be carried out within two weeks.

4) Both the applications are allowed and disposed of in the aforesaid terms.

NEETA
SHAILESH
SAWANT

Digitally
signed by
NEETA
SHAILESH
SAWANT
Date:
2022.03.09
17:45:34
+0530

(Sandeep K. Shinde, J.)