

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.1921 OF 2020

Shri Dattatraya Sansthan Shikhar Mahurgad, District Nanded through its Secretary
Vs.

State of Maharashtra through its Collector, Yavatmal and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Pushkar Deshpande, Advocate h/f Mr. Digvijay Khapre, Advocate for petitioner.
Mr. N. R. Rode, AGP for respondent nos.1 and 3/State.
Mr. A. A. Kathane, Advocate for respondent no.2.
Mr. P. P. Deshmukh, Advocate for respondent nos.10 to 17, 52 to 56, 58 to 60, 63, 64,
66 to 70, 72 to 74.
Mr. G. R. Kothari, Advocate for respondent no.4 to 9
Mr. M. P. Kariya, Advocate for respondent nos.45 and 47.

CORAM : AVINASH G. GHAROTE, J.

DATE : 23/08/2022

Civil Application (CAW) No.1797/2022
Civil Application (CAW) No. 1798/2022
Civil Application (CAW) No.1800/2022
Civil Application (CAW) No.1801/2022
Civil Application (CAW) No.1802/2022
Civil Application (CAW) No.1803/2022
Civil Application (CAW) No.1804/2022
Civil Application (CAW) No.1805/2022
Civil Application (CAW) No.1806/2022
Civil Application (CAW) No.1807/2022
Civil Application (CAW) No.1808/2022
Civil Application (CAW) No.1809/2022
Civil Application (CAW) No.1810/2022
Civil Application (CAW) No.1811/2022
Civil Application (CAW) No.1812/2022
Civil Application (CAW) No.1813/2022
Civil Application (CAW) No.1814/2022
Civil Application (CAW) No.1815/2022

1. Civil Application (CAW) No.1797 of 2022, Civil Application (CAW) No.1801 of 2022, Civil Application (CAW) No.1804 of 2022, Civil Application (CAW) No.1807 of 2022, Civil Application (CAW) No.1810 of 2022, Civil Application (CAW) No.1813 of 2022 seeks condonation of delay in bringing the legal heirs of respondent nos.71, 65, 68, 57, 55, 74 on record, Civil Application No.1798 of 2022, Civil Application No.1802 of 2022, Civil Application No.1805 of 2022, Civil Application No.1808 of 2022, Civil Application No.1811 of 2022, Civil Application No.1814 of 2022 seeks to bring the legal heirs of respondent nos.71, 65, 68, 57, 55 and 74 on record, Civil Application No.1800 of 2022, Civil Application No.1803 of 2022, Civil Application No.1806 of 2022, Civil Application No.1809 of 2022, Civil Application No.1812 of 2022 and Civil Application No.1815 of 2022 seeks setting aside abatement of the respondent nos.71, 65, 68, 57, 55 and 74.

2. Mr. Deshpande, learned counsel for the petitioner, undertakes at any costs, in case the applications are allowed, the legal heirs of the respondents nos.55, 57, 65, 68, 71 and 74 would be served before 6.9.2022. Accepting the statement, the applications are allowed.

WRIT PETITION NO.1921 OF 2020

1. The order dated 3.8.2022 insofar as it relates to abatement as against the respondent nos.55, 57, 65, 68, 71 and 74, is recalled. The amendment to the petition be carried out forthwith. On the same being done, issue notice to the added respondents, returnable on 6.9.2022.

2. The petitioner to serve the legal heirs of respondent nos. 55, 57, 65, 68, 71 and 74 by all modes permissible in law.

3. Hamdast granted.

JUDGE

Sarkate