

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

917 CIVIL APPLICATION NO.6819 OF 2023
IN FA/984/2013 WITH CA/6817/2023 IN FA/985/2013 WITH
CA/6818/2023 IN FA/984/2013 WITH CA/6820/2023 IN
FA/984/2013 WITH FA/986/2013

G.M.I.D.C. LTD., THROUGH THE EXECUTIVE ENGINEER, MINOR
IRRIGATION, OSMANABAD
VERSUS
NARHARI TUKARAM BHONG (DIED) THROUGH LRS. MOHAN
NARHARI BHONG AND OTHERS

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Mr. Rahul A. Tambe, Advocate for the applicant GMIDC.

Mr. B.V. Virdhe, A.G.P. for State.

Mr. B.N. Patil, Advocate for original claimants.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 08.06.2023.

ORDER:-

IN CIVIL APPLICATION NO. 6819 OF 2023 :

1. Heard rival submissions.
2. The applicants are seeking permission to bring themselves on record in the appeal being the legal representatives of respondent No.1 - sole claimant Narhari Tukaram Bhong, who admittedly died on 07.09.2015, by condoning the delay of 670 days. The learned Counsel for the applicant Acquiring Body submits that the delay has been caused since there was change in the names of panel advocates.
3. There is no strong objection from other side and considering the right to defend, the application stands allowed in terms of prayer clause-A and B.
4. The appellant - acquiring body is directed to carry out the amendment within stipulated period and after restoration of appeal. Application is accordingly disposed of.

IN CIVIL APPLICATION NO. 6817 OF 2023 :

1. Heard rival submissions.
2. The applicants are seeking permission to bring themselves on record in the appeal being the legal representatives of respondent No.1-B Dhanraj Sudha Bhong, who admittedly died on 07.01.2021, by condoning the delay of 323 days. The learned Counsel for the applicant Acquiring Body submits that the delay has been caused since there was change in the names of panel advocates.
3. There is no strong objection from other side and considering the right to defend, the application stands allowed in terms of prayer clause-A and B.
4. The appellant - acquiring body is directed to carry out the amendment within stipulated period and after restoration of appeal. Application is accordingly disposed of.

IN CIVIL APPLICATION NOS. 6818 OF 2023 AND 6820 OF 2023 :

1. Heard rival submissions.
2. The applicants are seeking recalling of order dated 04.01.2022 whereby their first appeal was abated for non-removal of office objections in respect of bringing the legal heirs of deceased respondent - claimant. However, the applicant Acquiring Body has already filed applications to that effect and the same are pending.
3. In view of the same, the order dated 04.01.2022 stands recalled subject to deposit of cost of Rs.1,000/- each to be paid to the Library, Advocates Association of High Court, Bombay, Bench at Aurangabad within two weeks.
4. Applications are disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)