

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 7389 OF 2023 IN
FIRST APPEAL NO. 2233 OF 2018

Asaram Paraji Chaval (died),
through LRs –
Annapurnabai Asaram Chavan & Ors. ... Applicants
Versus
The State of Maharashtra
through the Collector & Ors. ... Respondents

...
Mr. Deepak M. Kakade – Advocate for appellant
Mr. A. B. Chate – AGP for respondent/State
Mr. B. R. Surwase – Advocate for respondent no. 3

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CORAM : S. G. CHAPALGAONKAR, J.
DATE : 21st JUNE, 2023

PER COURT :

1. Heard learned advocates appearing for the respective parties.
2. By this application, the applicants are seeking to bring on record the LRs of the deceased – appellant / Asaram P. Chaval, who died during the pendency of the appeal.

3. The application is supported by the death certificate. The contents of the application are not controverted by the respondents. Hence, there is no impediment in granting the application. The following order is passed.

ORDER

- [i] The application is allowed.
- [ii] The delay of 330 days caused in filing the present application is condoned.
- [iii] The applicant nos. 1 to 3 are permitted to be brought on record as the legal heirs of the original appellant – Asaram Paraji Chaval.
- [iv] Abatement order is set aside.

[S. G. CHAPALGAONKAR]
JUDGE