

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

85 FIRST APPEAL NO.454 OF 2006

THE SPECIAL LAND ACQ OFFICER JALGON
VERSUS
MADHUKAR VISHNU PATIL

...

CORAM: VIMALNATH S. TIWARI
REGISTRAR (JUDL)

DATED: 18/04/2023

1. The representative of the Government Pleader's office is present. He seeks four weeks time to remove the office objection.
2. The present First Appeal is filed by the State. Upon perusal of the record, it appears that the notice of sole respondent is returned unserved as reported to be dead. The said fact is revealed from the report dated 07/11/2022, submitted by the bailiff. This fact was notified by the office of Registry to the appellant on 13/03/2023, and the time allowed for taking necessary steps under the rules expired on 13/04/2023, wherein no steps have been taken by the appellant/ State in this regard. Upon perusal of record, it would show that even after 13/04/2023 no steps have been taken by the appellant/State till today.

3. In view of the above fact, considering the request of representative of Government Pleader's office for appellant/State, four weeks time is granted to the appellant/State to take necessary steps to bring the legal heirs of sole respondent on record. Further, if appellant/State fails to take necessary step to bring on record the legal heirs of sole respondent, if any, in that event, the Appeal would abate against sole respondent by virtue of the powers conferred upon Registrar vide provisions under Chapter VII Rule 6(2) of the Bombay High Court Appellate Side Rules, 1960.

REGISTRAR (JUDL)