

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

**17 CIVIL APPLICATION NO.10069 OF 2023
IN FA/4819/2017
WITH
FA/4819/2017
WITH
FA/4820/2017**

**UTTARESHWAR DHONDIBA SHETE
VERSUS
NARAYAN PANDHARI KORE AND ORS**

...
Advocate for Applicant : Mr.Patil Shashikiran N.
Advocate for Respondent No. 1 : Mr. L.R.Thakur h/f Mr. L.C. Patil
AGP for Respondent Nos. 3 & 4 : Mr.S.B.Pulkundwar
...

CORAM : KISHORE C. SANT, J.

DATE : 28.08.2023.

PER COURT :

1. This application is by the purchaser of the land who has purchased the land from respondent No. 1. However, since the name of respondent No. 1 appeared in the Revenue Record, an entry to that effect came to be recorded in the name of respondent No. 1. The applicant pointed out this fact to the learned Collector and therefore, the applicant was permitted to withdraw the amount. Respondent No. 1 thereafter, filed a Reference under Section 18 of the Land Acquisition Act for the entire land including the land of the applicant. In the LAR an

amount came to be enhanced and the Acquiring Body has filed an appeal. In the appeal, some amount is already withdrawn by respondent No. 1. It is the contention of the applicant that since he happens to be the purchaser of some portion of the land of respondent No. 1 and his entitlement is also recognized by the learned Collector, he is a necessary party.

2. Looking to the facts as stated above, this Court finds that an application needs to be allowed. The application, is therefore, allowed.

3. The appellant to take necessary steps to correct the title clause to shows the applicant as party respondent, within two weeks.

**(KISHORE C. SANT)
JUDGE**

mahajansb/