

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 12992 OF 2019 IN
FIRST APPEAL NO. 2665 OF 2008

Khairatbee w/o Sadroddin
(Deceased through LRs)

Applicants

Versus

The State of Maharashtra

Respondent

Mr. C. R. Deshpande, Advocate for the applicants.
Mr. M. M. Nerlikar, APP for the State.

CORAM : R. M. JOSHI, J.
DATE : 15th FEBRUARY, 2023.

PER COURT :

1. Heard.
2. This application is filed for setting aside abatement and for condonation of delay of 323 days occurred in bringing legal heirs of deceased appellant on record. It is contended by the applicants that the original proceeding arise from land acquisition and they had no knowledge about the pendency of the appeal until the appellants in connected appeal explained about the same.

3. Delay caused in setting aside abatement and bringing on record legal heirs of deceased appellant is not deliberate. In the result, application is allowed in terms of prayer clause 'B'. Amendment be carried out within two weeks from today. Civil application stands disposed of.

(R. M. JOSHI)
Judge

dyb