

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

921 CIVIL APPLICATION NO.11293 OF 2023
IN FA/668/2016
WITH
X-OBJ/107/2023 IN FA/668/2016

SHESHABAI NARAYANRAO CHAVAN PATIL (DIED), THR LRS. ARUN
(DIED), THR. LRS. ADHIKA ARUN PATIL AND ORS
VERSUS
THE REGIONAL OFFICER, MAHARASHTRA INDUSTRIAL
DEVELOPMENT CORPORATION, LATUR AND ORS

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Advocate for Applicants : Mr.Vivekanand V. Ingale
Advocate for Respondent no.1 : Mr.G.S.Khaire h/f. Mr. S.S.Dande
AGP for Respondent nos.2 & 3 – State : Mr.A.M.Phule

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**CORAM : SMT. VIBHA KANKANWADI &
ABHAY S. WAGHWASE, JJ.**

DATE : 8 SEPTEMBER, 2023

PER COURT :-

1. Leave to correct is granted.
2. Issue notice to the respondents. Mr.G.S.Khaire, learned Advocate holding for Mr.S.S.Dande, learned Advocate waives service of notice for respondent no.1 and learned AGP waives service of notice for respondent nos.2 and 3.
3. Present application has been filed by the respondents in

criminal appeal, who have also filed the cross-objection, for bringing legal representative of original claimant no.1 - Sheshabai Narayanrao Chavan Patil on record.

4. Though it is stated that there is delay of 1366 days, the fact remains that except Meenakshi Madhukar Deshmukh, the other legal representatives are already on record

5. Learned Advocate appearing for the applicants, learned Advocate for respondent no.1 as well as learned AGP for respondent nos.2 and 3 are heard.

6. The death certificate has been produced on record and it shows that Sheshabai Narayanrao Chavan Patil expired on 30-08-2019. When the legal representatives were already on record of-course in their individual capacity, the question of limitation will not arise. There is absolutely no hurdle in allowing the present application.

7. The application stands allowed and disposed of.

8. Amendment to be carried out by respective Advocates in appeal memo as well as in cross-objection within a period of one week.

9. While taking up the matter, it is brought to our notice that cross-objection has been filed in the year 2016 and by order dated 28-09-2017, delay in filing the cross-objection has been condoned. Thereafter, it appears that the cross-objection got registered, but it appears that it has registered now. The first order has also not been passed. Under such circumstances, we take this opportunity and issue notice to the respondents in the cross-objection. Mr.G.S.Khaire, learned Advocate waives service of notice for respondent no.1 in cross-objection and learned AGP waives service of notice for respondent nos.2 and 3 in cross-objection.

11. Place the matters for further consideration on 27-10-2023.

(ABHAY S. WAGHWASE)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE