

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

**935 CIVIL APPLICATION NO.4954 OF 2023
WITH
WP/8814/2022
WITH
CA/4953/2023 IN WP/8814/2022**

**KHIMJI TEJPAL LODAYA SINCE DECEASED THROUGH LRS
VINODKHIMJI LODAYA**

VERSUS

**THE STATE OF MAHARASHTRA THROUGH REVENUE AND
FOREST DEPARTMENT AND OTHERS**

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Advocate for Applicant:

Mr. A. P. Nahar h/f. Mr. Bhandari Anand P.

Advocate for Respondents No.4&5:

Mr. Gorakhnath Kendre h/f. Mr. J. M. Murkute

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CORAM : ARUN R. PEDNEKER, J.

DATE : 06th SEPTEMBER, 2023

PER COURT:

1. The learned counsel for the applicant / petitioner submits that Civil Application No.4953 of 2023 is filed to bring the legal representatives of deceased respondent no.7 on record and Civil Application No.4954 of 2023 is filed to bring the legal representatives of deceased respondent no.8 on record. There is delay of 164 days in filing both the civil applications. The proposed legal representatives of respondents no.7 and 8 are served through

regular service and / or through paper publication in both the civil applications.

2. The learned counsel for the applicant / petitioner submits that it took him some time to discover the fact that respondents no.7 and 8 had passed away and thereafter, he has to secure the death certificates. He has to secure information of the legal heirs also. In view of the same, 164 days delay is caused in filing the civil applications for bringing the legal representatives of respondents no.7 and 8 on record.

3. For the reasons stated, the delay is condoned. The civil applications are allowed and disposed of. Necessary amendment to be carried out in the petition within a period of three (03) weeks from today.

4. Interim relief, if any, to continue till then.

5. In the main petition, issue notice to the legal representative of respondents no.7 and 8, returnable on 18.10.2023.

[ARUN R. PEDNEKER, J.]