

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 8162 OF 2023
IN
FIRST APPEAL STAMP NO. 38627 OF 2019

Sakharam Tulshiram Kanakdande (DIED)
Thr Lrs Shashikant And Others ...Applicants

VERSUS

The State Of Maharashtra And Others ...Respondents

.....
Mr. K.M. Nagarkar, Advocate for applicants.
Mr. S.S. Dande, AGP for State.

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CORAM : KISHORE C. SANT, J.

DATE : 23rd OCTOBER, 2023

PER COURT:

1. Leave to correct title clause by changing the numbering of respondents.

2. Mr. S.S. Dande, learned AGP has already appeared for respondent Nos. 1 and 2 as per corrected numbering. Though served, none appears for respondent No. 3.

3. This application is filed for bringing legal heirs of deceased Appellant No. 4 on record. The appeal is itself filed by heirs of deceased Appellant/Applicant No. 4 as he died after the

judgment and award passed by the Trial Court and before filing of the first appeal. This Court finds that for the reasons stated in the application and as the heirs are already on record, delay needs to be condoned.

4. Civil application stands allowed and is disposed of accordingly.

5. Delay stands condoned.

6. Applicants No. 4/1 to 4/4 are allowed to file appeal as in the capacity of representatives of deceased applicant No. 4.

[KISHORE C. SANT, J.]