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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.2951 OF 2020
IN
FIRST APPEAL STAMP NO.4288 OF 2020**

Krushna Alias Krishna Rama Thakur
Since Deceased Through Lrs. Nandlal
Krushna Thakur and Ors ... Applicants

V/s.

The State of Maharashtra Through The
Special Land Acquisition Officer ... Respondent

Mr. Sachin S. Punde for the applicants.

Ms. Tanaya Goswami, AGP for the respondent
No.1/State.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 27, 2023

P.C.:

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1. The application is filed by legal representatives of original claimants who were unaware about the pendency of proceedings, therefore, could not file application before the learned Reference Court. After getting knowledge of the passing of the award on 26th August, 2019 they have filed present appeal.

2. Considering the reasons in the paragraphs 7 and 8, the Interim Application is allowed in terms of prayer clause (a). No costs.

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3. The application is filed by legal representatives of original claimant. There is no dispute that they are legal representatives of original claimants.

4. The reference has been answered without applicants getting themselves impleaded in the claim application as they were unaware of the pendency of the proceedings. The right to sue therefore survives with the applicants.

5. The Interim Application is, therefore, allowed in terms of prayer clause (a). No costs.

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6. The appeal is filed by claimant for enhancement of compensation under the provisions of Land Acquisition Act, 1984.

7. Admit.

8. The appellant to file private paper book within a period One (1) year from today, failing which the first appeal shall stand dismissed without further reference to the Court.

9. Liberty to apply for early hearing.

(AMIT BORKAR, J.)