

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 20377 OF 2022
IN
FIRST APPEAL NO. 824 OF 1997

Kashinath Mahadu Shinde (Deceased) Through ...Applicants/
proposed LRs And Ors. ...Appellants

Versus

Laxman Valu Khatale (Deceased) Through ...Respondents
proposed LRs And Ors.

Mr. Amol Wagh a/w. Sachin P. Patil i/b. Sagar Kasar, Advocate for
Appellants/Applicants.

Mr. Rukmini Khairnar i/b. P.N. Joshi, Advocate for LRS of Respondent
No. 1.

CORAM : M.M. SATHAYE, J.

DATE : 12th DECEMBER, 2023

P.C. :

1. This is an application for bringing legal heirs of deceased Appellant No. 1, who has expired during the pendency of this Appeal. There is delay in filing the application.

2. By a separate Order passed today, legal heirs of deceased sole Respondent is allowed to be brought on record. Learned counsel for the said legal heirs of the sole Respondent is present before the Court, who has fairly submitted to the order of the Court.

3. As such, considering the fact that this is a dispute between the private parties about apportionment of compensation, receivable for

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acquisition of land, this Court is of the opinion that legal heirs of the deceased Appellant No.1 must be brought on record.

4. In that view of the matter and considering the averments in the application, sufficient cause is made out. The application is allowed in terms of prayer clause (a) and (a.i). The legal heirs of the deceased Appellant No.1 are allowed to be brought on record. Necessary amendment be carried out within a period of three weeks from today, with an amended copy being served upon other side simultaneously.

5. Interim Application is disposed. All concerned to act on duly authenticated or digitally signed copy of this order.

(M.M. SATHAYE, J.)