

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2637 OF 2019
IN
FIRST APPEAL [STAMP] NO.33122 OF 2018**

Somnath Mahadeo Naik (deceased)]	]	
through His Legal Representatives;	]	
Barsubai Somnath Naik and others	]	Applicants

IN THE MATTER BETWEEN:

Somnath Mahadeo Naik (deceased)]	]	
through His Legal Representatives;	]	
Barsubai Somnath Naik and others	]	Appellants

Vs.

The State of Maharashtra through the	]	
Special Land Acquisition Officer,	]	
Metro Centre No.3, New Panvel,	]	
Taluka Panvel, District Raigad.	]	Respondent

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Mr. Sachin Punde, for Applicants.

None for Respondent- State.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 23rd MARCH, 2023.

P.C.

1. Heard learned Counsel for the applicants.

2. None for the respondent-State.

3. Original claimant – Somnath Mahadeo Naik died on 30th December, 2014. Impugned judgment and order came to be passed

by the Civil Judge, Senior Division, Panvel in L.A.R No.55 of 2013 on 2nd May, 2014. Copy of the death certificate of the deceased is annexed at "Exhibit A".

4. It is submitted by the learned Counsel for the applicants that right to sue survives to the legal representatives of the deceased who represent his estate and, therefore, seek leave of this Court to prefer this appeal.

5. In the circumstances, leave is granted.

6. Registry to number the appeal.

7. Application stands disposed of.

[PRITHVIRAJ K. CHAVAN, J.]