

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 169/2023 IN
FIRST APPEAL NO. 424/2018

The Executive Engineer, Lower Wardha Project Division, Wardha Vs Ramaji S/O Upashya
Sahare (Dead) Lrs. Ambadas S/O Ramaji Sahare And Others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.M. Kukday, Advocate for the appellant.

Shri C.R. Najbile, Advocate for the applicant/respondent Nos. 1 to 5.

Ms Shamshi Haider, AGP for the respondent Nos. 7 and 8.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 06/02/2023.

1. Heard.
2. This is an application filed under Order I Rule 10 of the Civil Procedure Code, 1908 for adding necessary party in the above matter. It is submitted that the applicant/respondent No.2 died on 08/02/2021. As, it is a settled law that the Order-I Rule 10 has no application in the present matter, as separate procedure is given under the Land Acquisition Act. It is the appellant, who has to take steps to bring the legal heirs of respondent No.2 on record.
3. In view of that, the civil application No. 169/2023 is disposed of.
4. The appellant to take necessary steps to bring the legal representatives of respondent No.2 on record.