



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

914 CIVIL APPLICATION NO. 5393 OF 2024
IN FA/1187/2020
WITH
CIVIL APPLICATION NO. 11100 OF 2019
IN FA/1187/2020
WITH
CIVIL APPLICATION NO. 4815 OF 2021
IN FA/1187/2020

Manohar Kashinath Shinde (died) His L.r.s. Laxmi Manohar Shinde
And Ors

VERSUS

The State Of Maharashtra, Through Collector Latur And Anr

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Advocate for Applicant : Mr. Vijay B. Patil
AGP for Respondent No. 1/State : Mr. S.K. Shirse
Advocate for Respondent 2 : Mr. B.R. Surwase

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CORAM : KISHORE C. SANT, J.

Dated : June 13, 2024

PER COURT :-

1. Civil Application No. 5393/2024 is filed for bringing the legal heirs of deceased respondent No. 1/3 – Ganesh Manohar Shinde and respondent No. 2 – Madhav Kashinath Shinde on record, who died during the pendency of the appeal. Ganesh died on 29.8.2019 and Madhav died on 1.11.2018. There is thus delay of 1563 days 1864 days, respectively, caused in filing the present applications.
2. The learned counsel for the applicants points out the order passed by this Court dated 29.6.2021 in Civil Application No. 4815/2021. This Court, by the said order, recorded that the advocate for the applicants submitted that he would take steps to bring the

legal representatives of the deceased respondents on record. He submits that the appellant had knowledge, still the appellant has failed to file application and as the appellant has not filed the application, the application is filed by the present applicants. Therefore, there is delay in filing the application. He, thus, prays for allowing the application by condoning the delay.

3. Considering the above, the delay caused in filing the present application stands condoned. Appellant is directed to bring the legal heirs of deceased respondent No. 1/3 – Ganesh Manohar Shinde and respondent No. 2 – Madhav Kashinath Shinde on record within two weeks from today. Application is disposed of.

4. Place other applications along with appeal on 4.7.2024.

5. In Civil Application No. 4815/2021, the learned counsel for the applicant prays for leave to correct the names of the parties. Leave is granted. Correction be carried out within two weeks from today.

(KISHORE C. SANT, J.)

ssc/