



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 9084 OF 2024
IN FIRST APPEAL NO. 2230 OF 2012
WITH CA/9075/2024 IN FA/2231/2012
WITH CA/9077/2024 IN FA/2231/2012
WITH CA/9085/2024 IN X-OBJ/60/2024 IN FA/2230/2012

Vishwanathappa Nagshettiappa Kapse

(Died) Through L.Rs.

Vijaykumar Vishwanathappa Kapse and Others

..APPLICANTS

VERSUS

The Godavari Marathwada Irrigation Development
Corporation Ltd., Aurangabad

Through, The Executive Engineer,

Minor Irrigation Division, Latur and Another

..RESPONDENTS

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Mr. R.P. Adgaonkar, Advocate for applicants

Mr. Tatyasaheb Bhosale, Advocate for respondent no.1

Mr. S.V. Hange, A.G.P. for respondent no.2 - State

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CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ

DATE : 30th AUGUST, 2024

PER COURT :

1. These are the applications for bringing on record legal representatives of Applicant No.3 – Prabhuraj Vishwanathappa Kapse by condoning delay of 814 days in preferring these applications.

2. Learned counsel for the applicants submits that Vishwanathappa Kapse was the original claimant. After his death, his legal representatives

were brought on record. He submits that out of the said legal representatives Applicant No.3 - Prabhuraj Vishwanathappa Kapse has died and his legal representatives are required to be brought on record. He further submits that though Applicant No.7 – Leelawati Vishwanathappa Kapse has died, her legal representatives are already on record. He submits that the delay caused in filing these applications has been explained and the same be condoned.

3. Learned A.G.P. for State and learned counsel for the acquiring body submits that appropriate order be passed.

4. We have gone through the applications. Same are allowed in terms of prayer clauses (B) and (C). Amendment be carried out within a period of two weeks. Amendment in the appeal be carried out by the acquiring body i.e. the appellant and in the cross objections by the respondents – claimants.

(NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)

SSD