



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

29 CIVIL APPLICATION NO. 1641 OF 2024
IN FA/1630/2018

HARICHANDRA KALURAM (DIED) THR LRS SWARUPCHAND
HARICHANDRA NARHADE AND ORS
VERSUS

THE STATE OF MAHARASHTRA THROUGH THE S.L.A.O.,
AURANGABAD AND ANR

.....
Advocate for Applicant : Mr. Hajare Abhishek Madhukar
AGP for Respondents/State : Mr. S.V. Hange
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CORAM : Y.G. KHOBRAGADE, J.
DATE : 26.03.2024

PC.:-

1. Heard both the sides at length. By this application, the applicants / legal heirs of original claimant no.2-B prayed for permission to bring the legal heirs of deceased-claimant no.2-B on record as well as condonation of delay and setting aside abatement.

2. The fact that deceased-claimant 2-B- Mr. Shankar Tarachand Narhade died on 31.05.2021 during the pendency of present appeal leaving behind him is legal heirs i.e. 2.B-1 to 2.B-4. The acquiring body has not disputed that the applicants are the legal heirs of deceased claimant 2-B. Normally, it is the duty of the appellants to file an application for bringing the LRs of deceased-respondents on record, however, in the case in hand the

respondents in appeal who are the applicants to the present application have filed applications for condonation of delay, setting aside abatement and for bringing the legal heirs of deceased claimant 2-B on record, therefore, the said application appears in the form of substitution of name of claimant 2-B Shankar Tarachand Narhade. Therefore, the present application is allowed. The delay caused in filing the appeal is hereby condoned. Abatement is set aside.

3. The names of present applicants be brought on record. The acquiring body shall carry out the necessary amendment in appeal within a period of 14 days from today.

[Y.G. KHOBRADE, J.]