

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.18016 OF 2022

IN

FIRST APPEAL NO.1080 OF 2007

Pandurang Tukaram Shelar
since deceased through legal heirs
Sarangnath Pandurang Shelar & Ors. : Applicants

IN THE MATTER BETWEEN

Nivrutti Nana Shelar
since deceased through legal heirs
Sopan Nivruti Shelar & Ors. : Appellants

Vs.

The State of Maharashtra
through the Spl. Land Acquisition Officer : Respondent

Adv. Ashok B. Tajane, for the Applicants.
Mr. A. R. Patil, AGP for the State.

CORAM : KISHORE C. SANT, J.

DATE : 12TH FEBRUARY, 2024

PC. :

1. This Application is filed for bringing on record legal heirs of Appellant No.7 deceased Pandurang Tukaram Shelar who died on 20th September, 2009 during the pendency of the Appeal. Proposed Applicants 7A to 7C are the only legal heirs of the deceased Pandurang Tukarma

Shelar. Applicant No.7D also died and therefore legal heirs of 7D are to be brought on record. A separate Application is filed bearing Interim Application No.18017 of 2022. In this Application also there is delay of 12 years 5 months caused in filing this Application. It is stated that the present Applicants were not aware that they are required to be brought on record. When they came to know the information that Appellant No.3 & 1A died & the Legal heirs are also required to be brought on record. It is thereafter they have filed the present Application. Considering the Applicants are the legal heirs of original claimant who have lost lands. This Court finds that in the interest of justice to allow the Application by condoning the delay.

2. Application stands allowed by condoning the delay.
3. The Applicants to carry out necessary amendment in the cause title of the Appeal and other Applications, if any, be carried out within a period of 2 weeks from today.
4. Application stands disposed of.
5. The abatement order, if any, is set aside.

(KISHORE C. SANT, J.)