



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 8048 OF 2025
IN FAST/5694/2024**

Shamrao Sitaram Rathod Died Thr Lrs Radhabai Died Thr. Lrs
Prakash And Ors

VERSUS

The State Of Maharashtra Throuh Special Land Acquisition
Officer (lasica) Jalna And Ors

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Mr. S. M. Kakde, Advocate for Applicants

Mr. S. S. Dande, AGP for Respondents-State

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CORAM : AJIT B. KADETHANKAR.

DATED : 16TH SEPTEMBER, 2025

ORDER :-

. Heard Mr. S. M. Kakde, Advocate for the applicants.

2. It is submitted that the original claimant namely, Shamrao Sitaram Rathod is died during the pendency of the appeal proceedings. He further submits that applicant nos.2 and 3 claim to be the legal representatives of the applicant no.1, namely, Shamrao Sitaram Rathod. Mr. Kakde further submits that the right to prosecute the appeal survives with the applicants, who seek to be impleaded in place of deceased Shamrao Sitaram Rathod in their capacity as legal representatives. He further prays to condone the delay caused

in filing the present Civil Application. Mr. Kakde submits that there would be no prejudice to other side if the Civil Application is allowed. He would further submits that if the Civil Application is not allowed, the applicants would deprive of their legitimate right, which they survive from deceased Shamrao Rathod.

3. Mr. S. S. Dande, learned AGP expresses his no objection for allowing the Civil Application.

4. In view of above, I pass following order:

ORDER

- a. Civil Application is allowed.
- b. Delay of 267 days caused in filing the present Civil Application stands condoned.
- c. Abatement, if any, stands set aside.
- d. Applicants are permitted to prosecute the appeal proceedings as legal representatives of the deceased Shamrao Sitaram Rathod.
- e. Amendment in the appeal be carried out within four weeks from today.

(AJIT B. KADETHANKAR, J.)