



920 CA 1969-2024

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

920 CIVIL APPLICATION NO. 1969 OF 2024
IN FIRST APPEAL (ST) NO. 24687 OF 2021
WITH
CIVIL APPLICATION NO. 4076 OF 2022 IN FAST/24687/2021
WITH
CIVIL APPLICATION NO. 4078 OF 2022 IN FAST/24687/2021

SHIVAJI SAMBHAJI SUNGARWAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
NANDED AND OTHERS

...
Mr. Shivashish V. Bhopi h/f. Mr. A.D. Hande – Advocate for
Applicants
Mr. D.J. Patil – AGP for Respondent Nos.1 and 2, State
Mr. M.C. Swami – Advocate for Respondent No.3

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 4th February, 2025

PER COURT :

CIVIL APPLICATION NO. 1969 OF 2024

1. Heard rival submissions.
2. The application is filed for bringing legal representatives of deceased respondent No.2 – Mahadu Santuka Sungarwad, who admittedly died on 17.12.2020. However, the application should have filed by appellant – acquiring body but it is filed by the respondents only. As such, the application stands allowed in terms of prayer clause 'B'.

3. The appellant – acquiring body is directed to carry out the amendment within stipulated period.

CIVIL APPLICATION NO. 4076 OF 2022

4. Heard rival submissions.

5. The appellant – acquiring body is seeking condonation of delay of 685 days in filing First Appeal. Though the learned Counsel for respondents/claimants opposed the application but it appears that, the appellant – acquiring body has already deposited the amount of compensation with the learned Reference Court.

6. Thus, for the reasons stated in the application, the application is allowed in terms of prayer clause ‘B’ and disposed of accordingly.

7. Appeal be registered after removal of office objections, if any.

CIVIL APPLICATION NO. 4078 OF 2022

8. Since the appellant – acquiring body has deposited the amount of compensation excluding the interest with the learned Reference Court the application is made absolute during the pendency of this appeal.

**[SANDIPKUMAR C. MORE]
JUDGE**